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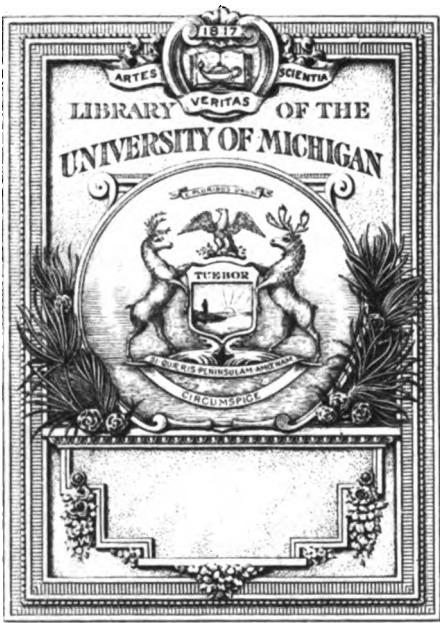
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LEGISLATIVE DOCUMENTS

OF THE

SENATE AND ASSEMBLY

OF THE

STATE OF NEW-YORK.

FIFTY-THIRD SESSION,

1830.

VOLUME III.

FROM No. 201 TO 290, INCLUSIVE.

ALBANY :

PRINTED BY E. CROSWELL, PRINTER TO THE STATE.

.....
1830.

Aug.

E.C.

No. 201.

IN ASSEMBLY,

February 8, 1830.

MESSAGE,

From the Acting Governor, transmitting the Annual Report of the Adjutant-General.

TO THE ASSEMBLY.

GENTLEMEN—

I have the honor to transmit to you herewith, the annual report of the Adjutant-General.

E. T. THROOP.

Albany, February 8, 1830.

**STATE OF NEW-YORK, ADJUTANT-GENERAL'S OFFICE,
Albany, February 2, 1830.**

SIR—

I have the honor herewith, to transmit to you the annual return of the militia of the State of New-York, for the year 1829.

I am, Sir,

Your ob't serv't,

N. F. BECK,

Adjutant-General.

His Ex. Gov. THROOP.

[No. 201.]

1

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1829

	WOB	Brea	Crup	Bridl	
c	03	614	592	618	
or	50	498	466	550	
lic	45	737	609	828	
s	
J	66	405	284	522	
=	64	2254	1951	2518	20
ry	20	304	249	331	1
ry	77	53	124	310	
1	29	211	163	269	1
=	26	568	536	910	4

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Annual return of companies of Cavalry and Artillery attached to the different brigades of Infantry for inspection, in the year 1829.

Number of companies.	COMPANY OFFICERS.										PRIVATES.	
	Commissioned.				Non-commissioned.							
	Captains.	Lieutenants.	Ensigns.	Present.	Sergeants.	Corporals.	Musicians.	Present.	Absent.	Present.	Absent.	Present.
56	51	109	4	194	21	165	18	205	18	2156	1062	4003

RECAPITULATION.

Horse artillery,	1728
Cavalry,	6103
Artillery,	11469
Infantry, (including light infantry and riflemen,).....	164872
Companies of artillery and cavalry, attached to infantry for inspection,	4003
Total,	188175
Total according to returns for 1828,	172293
Increase,	15882

IN SENATE,

February 25, 1830.

REPORT

Of the Committee on Manufactures, on the memorial of Matthew Gregory, Isaiah Townsend, Simeon De Witt and others.

Mr. Woodward, from the committee on manufactures, to whom was referred the memorial of Matthew Gregory, Isaiah Townsend, Simeon De Witt and others, praying for an act incorporating them and their associates for the purpose of supplying the citizens of Albany with pure and wholesome water,

REPORTED AS FOLLOWS, TO WRIT:

That your committee have had the subject under consideration, and are satisfied that the facts set forth in the memorial are true, and that the prayer thereof ought to be granted. The act of the seventeenth of February, one thousand eight hundred and two, referred to in the memorial, incorporating the persons therein named, for the purpose of supplying the city of Albany with water, does not seem to your committee to confer on that company the exclusive right or privilege of supplying the citizens of Albany with water, so as to inhibit the legislature from incorporating another company for the same purpose; but if that construction shall be contended for, your committee is of opinion, that there has been a failure to a very great extent on the part of that company, in supplying only a portion of the city with water; all that part of the city lying west of Eagle-street, and a number of lots east of that street, have never been furnished with water. The preamble to that act, it will be perceived, states, that "certain persons had associated for supplying the city of Albany and its neighborhood with water, and for that

purpose prayed to be incorporated." If then the object held out by the applicants, of supplying the *whole city of Albany* with water, induced the legislature to make the grant, the supplying a part only of the city is a failure on the part of the company of performing their part of the grant—for it must be admitted, that if that act is to be considered in the nature of an exclusive privilege or monopoly to the company, it was granted on the representation set forth in the petition, and briefly recited in the preamble, of supplying the whole city with water, and not merely a portion of it. Nor is it just and equitable on the part of the company created by that act, to supply the lower part of the city with water, and which is the least expensive, and leave the citizens of the other part to supply themselves at a much greater expense, or do without water. It is now twenty-eight years since that act was passed, and a large portion of the city remains yet unsupplied. Your committee have prepared a bill, and directed their chairman to introduce the same.

No. 203.

IN SENATE,

February 24, 1830.

REPORT

Of the Committee on Banks and Insurance Companies, to whom was referred the Annual Report of the Bank for Savings in the city of New-York.

Mr. Allen, from the committee on banks and insurance companies, to whom was referred the annual report of the bank for savings in the city of New-York, together with their memorial, praying for an extension of powers, in relation to the investing of the money of depositors—

REPORTED AS FOLLOWS, TO WT:

That it appears, the institution alluded to, was incorporated by the Legislature in 1819, and has now been in operation more than ten years; during which period, they have received in deposits from the laboring and poorer classes of the community, more than five millions of dollars.

The number of depositors on the 31st of December, 1829, was, *eleven thousand nine hundred and thirty-seven*; and the amount of funds held by the bank, exceeded *two millions of dollars*. A portion of this money is vested in the stocks issued by the authority of the United States and of this state, in the stock issued by the corporation of the city of New-York, and the canal stock of the state of Ohio.

That part of the funds invested in the stocks created by the United States, has been principally returned to the corporation, by the liquidation of the national debt, and the other securities in

which they are now authorised to vest, are held at a premium so much above their par value, that the trustees find it extremely difficult to place their funds in a situation that will enable them to pay to their depositors the usual interest of five per cent. per annum; and unless they can obtain the relief they seek, it is feared, the interest must be reduced to four per cent., and perhaps less; which will operate with peculiar hardship upon the industrious poor, who compose the great mass of depositors.

In order to avoid this result, the trustees request of the Legislature an extension of their powers, that will enable them to loan on any stock, for the redemption of which the faith of either of the United States shall be pledged; on the bonds of the corporation of New-York; on the real estate belonging to the public school society; and on temporary deposits in any of the banks in the city of New-York.

It is further requested by the trustees, that the accountant of the bank may be authorised to administer oaths, for special purposes connected with the business of the institution. Many of the depositors are ignorant and illiterate persons, and among so great a number as twelve or thirteen thousand individuals, it cannot be thought strange, that attempts to deceive the officers of the institution should occasionally be resorted to by some of them. One description of cases, which frequently occurs, is the loss of the deposit books. These books are used as vouchers, to be produced on the making or withdrawing of the deposits; and it becomes necessary therefore, in many cases, when they are lost or mislaid, and new books requested, that the person should testify to the fact. The only test of personal identity, within the power of the trustees to demand from persons, such as has been described, is their name, occupation, place of residence, and nativity. The answers to these queries are noted in a book, and whenever application is made for a new voucher, to replace that represented as lost, or for the withdrawal of a deposit, the aforesaid questions are put to the applicant, and if his answers agree with those noted, he is considered as the proper person of course; but if they disagree, in any particular, the oath of the applicant is the only remedy left for ascertaining the true state of the case. Instances have occurred, where, by the collusion of parties, and other illicit means, attempts have been made to withdraw deposits, by persons who had no claim to them; and although the instances have been

few in number, or the amount great, it nevertheless becomes necessary to guard against their repetition.

The present accountant of the institution formerly held an appointment as commissioner, with authority to administer oaths, but omitted to apply for a re-appointment until the vacancies were all filled; and it has appeared proper, therefore, that a provision should be made to remedy the omission; otherwise these poor people will be put to the trouble and expense of applying, in all the cases that may occur, to a commissioner, whose charge for preparing a statement of facts, and taking an acknowledgment, will operate unnecessarily hard upon persons of small means, such as this institution is intended to foster and protect, and which may all be avoided by granting the power requested by the trustees.

The trustees of this institution are highly respectable, and discharge the duties of their station gratuitously without fee or reward, except it be what may arise from a conscious satisfaction of having protected the savings and thrift of the poor from destruction and waste, and from the encouragement they are affording the industrious and frugal, whose want of experience may lay them open to the imposition of fraudulent and designing men. Having no personal interest to gratify, and being actuated only by a wish to promote the interests of the humble and industrious people, who entrust their hard earnings to their care, the trustees, in the opinion of the committee, cannot but exercise the power granted them with proper discretion, and for the best interest of the depositors.

The moral effects of this institution upon the laboring classes of the community, must be acknowledged by all who have paid any attention to its operations; and the annual increase of depositors, and the magnitude of the trust fund, is unquestionable proof of the unbounded confidence reposed in the gentlemen who manage its concerns; the committee are of opinion therefore, that no evil will result from granting the extension of powers requested by the petitioners; but, that the authority thus conferred, will be prudently managed, and by that means, prove a benefit to those for whose good the corporation was instituted. They have accordingly, instructed their chairman to prepare a bill, and to introduce the same.

IN ASSEMBLY,

February 16, 1830.

COMMUNICATION

From Samuel M. Hopkins, an Inspector of the State Prison at Mount-Pleasant.

To the Honorable the Assembly:

The subscriber, inspector of the state prison at Mount-Pleasant, and the only one of them now in office, to which inspectors was referred the petition of the trustees of Mount-Pleasant academy,

REPORTS:

That on receiving the order by which the said report now referred to the said inspectors, he immediately wrote to the president of the said trustees for more particular information regarding the kind of occupancy which they desired to have of the dwelling-house on the state prison farm. It was also his intention to have conferred on the subject with his late associates. But being satisfied on further reflection, that in no case could he report in favor of the application as presented, he thought it most proper not to defer the subject.

In explanation, the subscriber would remark, that the house in question is situated not very far from the centre of the farm.

The farm itself extends from the shore of the Hudson to the New-York and Albany road. The prison buildings being near the river, and the ascent from them to the house being somewhat steep, the house, to some extent, though not entirely, overlooks the prison and quarries. Any absolute right of occupancy in the house may be the means of introducing near to the prison, persons who may be

indiscreet, troublesome or designing ; and in proportion to dangers of this kind, the precautions for safety therefore must be increased. One useful object in possessing land for some distance round the prison is, to keep away dangerous neighbors. And if the house would pass into the absolute control of any persons, however respectable, not interested in the prison, it might, unsuspected by them, become the lodgment of a conspirator.

The house may also not improbably be wanted by the tenant who may rent the farm. It might happen that the want of a house would sink the rent of the whole property to a much larger amount than the separate value of the house to the academy or to any one else.

In possible cases also, the dwelling-house might be very useful to accommodate the assistant keepers; several of whom have families, and who find it difficult to obtain houses.

Without insisting farther upon this part of the subject, the subscriber would observe, that should the Legislature be disposed in some way to assist the academy by the avails of public property at Mount-Pleasant, he respectfully submits, that it would be much better to do so, by authorising a payment out of the proceeds of the rents of the prison farm and premises. But even in doing this, it ought, he conceives, to be taken into consideration that the house and barn, having now stood twenty years or more, need occasional repairs : That the fences are neither wholly durable nor good ; and that unless a considerable portion of the rent is reserved to keep the property in good condition, it must be done at the direct charge of the prison establishment, which will make the grant to the academy operate as a new draft upon the treasury.

Another way might also be suggested. There is only about one-half of the land which contains marble : and the only reason for buying the whole, was, that the owner either would not divide it at all, or only upon terms so exorbitant, that the purchase of the whole was manifestly better. The eastern half, adjoining the main road, contains no marble : It is so remote as not to be a means of endangering the prison in any way : it would be rising in value with the increase of the village ; and a grant of some part of that front, might therefore be a useful resource for the academy in future years.

Finally, if the dwelling-house is granted at all, the subscriber submits his opinion, that it ought to be upon terms of removing it wholly off from the state's land.

It may not be impertinent for the subscriber to observe, that having been much at Sing-Sing, he has understood, and believes, that the academy there is a very well conducted, useful and meritorious institution.

Upon the whole matter, therefore, the subscriber reports his opinion to be, that the prayer of the petitioners for such relief as is specified in their petition, ought not to be granted; and that if any aid is granted from the public property attached to the state prison, the same ought to be in some of the ways above suggested, or in such other way as the wisdom of the Legislature shall direct.

All which is most respectfully submitted.

SAMUEL M. HOPKINS.

No. 205.

IN SENATE,

February 26, 1830.

REPORT

Of the Committee on Finance, recommending a state tax.

Mr. Todd, from the committee on finance, to which was referred the resolution of the Senate of the 12th inst., requiring the committee "to report on the *expediency* of authorising a state tax;" and also the resolution of the 13th inst., requiring the committee "to report whether it be not *practicable* to provide for the support of the government without the imposition of a tax on real estate, and if *practicable* to report a plan for that purpose"—

REPORTED AS FOLLOWS, TO WIT :

That the *General Fund* of the state on the first day of December last, amounted to the nominal sum of..... \$1,344,268.65 consisting of the following items :

608 shares in the stock of the Bank of America,.....	\$60,000.00
300 shares in the Bank of Hudson,	15,000.00
50 shares in the Bank of Columbia,	20,000.00
845 shares in the Merchants' and Farmers' Bank,	10,140.00
500 shares in the Mohawk Bank,..	5,000.00
600 shares in the N. Y. State Bank,	16,800.00
Bonds and mortgages for lands sold,	806,313.10
Bonds and mortgages for loans to individuals and companies,...	386,895.93
Bonds and mortgages for sundry debts due the state,.....	23,319.62
	<hr/>
	\$1,344,268.65

In this amount the stock of the Bank of Hudson and also that of the Bank of Columbia is included, making together the sum of \$35,000. There is also included the sum of \$386,895.93 due on the loans to individuals and companies. This is the whole amount of principal and interest which appears from the books of the Comptroller's office, to be due; no allowance is made for the losses which have been sustained on these loans, or the probable loss which will arise from the inadequacy of the security.

Many parcels of the lands have been sold on the mortgages and bid in by the Attorney-General, in some instances for a mere nominal sum, and only the amount bid is credited on the bonds, and that amount in some instances not enough to pay the expenses of foreclosure. The debt in such a case is continued on the books, when every reasonable hope of payment is gone. In some cases where the lands have been thus purchased, they have been re-sold for a fair value, and the purchase money secured by new bonds and mortgages, which are included in the "amount stated to be due on bonds and mortgages for lands sold." By this mode of proceeding, the old debt upon the bond as well as the new one secured by bond and mortgage, both appear on the books, presenting an apparent amount far beyond the actual amount belonging to the general fund, which can ever be realised. This arises from the presumed responsibility of the persons who gave the bonds, when it is generally understood that the personal security is of little or no value.

At the last session of the legislature the Comptroller made a detailed statement of the situation of the loans to *individuals and companies*. The amount of the loans was not far from the sum above mentioned in that item stated in the general fund to be \$386,895.93. The amount of the principal of the bonds and mortgages to \$221,667.33 has been attempted to be collected by foreclosure of the mortgages. On that amount the actual loss has been \$117,301.03. In addition to this actual loss, the state then held many parcels of land which had been bought in on the sale, and until a re-sale should be made, the final loss could not be ascertained.

In the report of the Comptroller of the last year to which we have referred, the principal there stated to be due on the bonds and mortgages, which had not been attempted to be collected by foreclosure and sale, amounted to \$185,299.67. This amount was supposed to be better secured than the sums for the collection of which foreclosures had taken place. The difference between the amount of this item in the general fund, between the last and the present

year, is \$8,204.86. That amount has been paid in the course of the year. Judging from the result of the experiment to obtain the amount due in those cases where the experiment has been made, we cannot estimate the value of the bonds and mortgages for loans now remaining, at more than \$150,000, as a part of the general fund from which revenue may be derived. If this sum is to be considered as the productive amount of loans to individuals and companies, the balance of that item in the general fund must be deducted, which is \$236,895.93

Stock of Hudson Bank,	15,000.00
Do. of Columbia Bank,.....	20,000.00
Sundry debts due the state,.....	23,319.62

Making the amount of \$295,215.55

to be deducted from the general fund, as stated in the report of the Comptroller, to determine the amount upon which revenue is to be derived. The productive fund will then be \$1,049,053.10. The item of "sundry debts due the state," amounting to \$23,319.62 is deducted, being due from Benjamin Butler. It is the balance due on a bond, the payment of which was secured by a mortgage on lands in Chenango county. The lands have long since been sold, leaving the above sum unpaid, and the debt is considered of no value.

In addition to the general fund as above stated, there is a large quantity of land belonging to the state, and constitutes a part of the fund. The quantity of land is stated to be 119,665 acres. Of this quantity 93,372 acres have been sold for taxes, and purchased in by the state. This circumstance induces the belief that it is of little value, and cannot be relied upon for revenue: 18,964 acres have been bought in at sales made on the foreclosure of mortgages; the remaining 7,329 acres are in different parts of the state. Taking all these lands together, we do not put much confidence in the idea of deriving from them a very large sum of money for the purposes of the government. It is, however, from the general fund, of which these lands constitute a part, that we look in the first place for the revenue, applicable to the ordinary expenses of the government. This is the primary source; and if not to be found here, resort must be had to other means. The revenue to be derived from the general fund is estimated as follows for the year 1830:

Dividends on stock of the Bank of America,	\$3,200.00
Do. do. Mechanics' and Farmers' Bank,	850.00

Dividends on stock of the Mohawk Bank,	\$450.00
Do. do. New-York State Bank,	1,400.00
Interest on bonds for lands sold,.....	75,000.00
Do. do. for loans to individuals,.....	25,000.00
Do. do. for debts due the state,.....	2,060.00
Fees of public officers,	600.00
Pedlers' licences,.....	1,500.00
Miscellaneous sources of revenue,.....	1,600.00
Arrears due from counties for taxes on non-resident lands, which the state has advanced, and from sales to be had in June, expected to be realised,.....	100,000.00
Interest on the same,.....	50,000.00
Principal of bonds for lands sold,.....	25,000.00
Do. of loans to individuals,.....	10,000.00
First payments of sales of land,	5,000.00
	<hr/>
	\$301,600.00
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Several items in this estimate, although they may realise our expectations the present year, cannot be used as the basis of calculation for the future.

The item of interest on bonds for lands sold, is put at \$75,000, and the interest on loans to individuals, at \$25,000. The interest which constitutes these items, has been suffered to accumulate for years; proceedings have been taken, and great exertions are now making to collect the same. As collections of interest are not enforced, unless there has been an omission of payment for several years, another collection will not be likely to be made for the next, and if it should be, it would not produce the same amount, indeed the same amount would not be due. And if all that should accrue, should be paid, it would fall far short of the estimated receipts from this source, for the present year.

The amount received into the treasury the last year, from this source, was only \$45,836.80, less than one half of the sum expected to be received during the present year. A continued and persevering vigilance in collecting, can alone realise the estimates.

The item of \$150,000, for the arrears due from the counties, for monies advanced by the state, for the taxes on the lands of non-residents, may be realised at the expected sales in June next, and aid in

satisfying the demands on the government, for the current year, but as an item of revenue for any future year, should not be taken into consideration.

The items, principal of bonds for bonds, for loans to individuals, and first payments on sales of lands, may be all received, and it is no further important to be mentioned here, than to be remembered, that it is taking so much of the general fund to aid in defraying the current expenses of the year, instead of taking the revenue of that fund.

The ordinary expenses of the government for the current year, are estimated as follows :

Salaries of officers of government, and office expenses,	\$50,000.00
Members of Legislature, and incidental expenses of the two houses,	75,000.00
Court for correction of errors, and expenses,.....	7,500.00
State prison at Sing-Sing,.....	30,000.00
Indian annuities and expenses,	18,000.00
Sheriff's for allowances by court of exchequer, ..	7,500.00
Printing 15,000, brigade inspectors, \$4,000,.....	19,000.00
Commissary's department,	6,000.00
Miscellaneous expenses,	40,000.00
Apprehension of criminals, and incidental expenses of the government, by the executive,.....	2,000.00
Courts-martial and courts of inquiry,	1,500.00
Support and instruction of deaf and dumb,.....	6,000.00
Postage of official letters,	1,500.00
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	\$264,000.00

The committee have with much care, compared this estimate with those which have been made for several previous years, and also with the expenses of those years, which were intended to be paid with the sums estimated as necessary to meet them. They have no reason to doubt it is made with as much accuracy, as under the circumstances can be expected.

The following sums will be chargeable upon the general fund for the current year.

The ordinary expenses of the government,.....	\$264,000.00
The amount due to the School fund, for principal and interest, for money borrowed from that fund,.....	145,091.73
Do. do. of the Literature fund,.....	13,273.42
The deficiency in revenue of Seneca and Cayuga canal, for 1829,.....	9,697.50
Do. do. of Oswego canal, for 1829,.....	22,491.65
Damages on Seneca and Cayuga canal,.....	5,000.00
do. on Oswego canal,.....	10,000.00
Estimated deficiency in Seneca and Cayuga canal for 1830,.....	19,550.00
Do. on Oswego canal,.....	9,650.00
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	\$498,754.29

To meet this demand, the following items are supposed to be available.

Estimated revenue from general fund,	\$301,600.00
Balance in Treasury on the 1st of Dec. last,.....	44,793.56
	<hr/>
	\$346,393.56

Leaving a deficiency of \$152,360.73, to be provided, to enable the general fund to meet the estimated calls upon it for the current year.

In addition to this deficiency, a considerable sum will be required to satisfy such appropriations as may be made by the Legislature during its present session. We have no means of estimating any amount which may be thus appropriated, but we ought not to omit the expression of a belief that it will be considerable.

In what manner this great and increasing deficiency shall be met, and how provision shall be made to answer future calls, is an inquiry of great moment, and attended with many difficulties.

The Comptroller has it within his power to raise the funds which may be necessary to meet the calls upon the treasury, by sale of the bank stock belonging to the general fund ; by forced collections of the debts due to the state, which also belong to that fund, or by temporary loans on the credit of the state. A sale of the stock or a forced collection of the debts, would seem to imply, that the gene-

ral fund was to be exhausted, as the means of meeting the demands on the treasury, before resort was had to any other. A temporary loan would relieve our present wants, and means might be provided to repay it without intrenching further upon the general fund, if such relief would be of the character which prudence would dictate.

It may not be improper to examine the ability of the general fund to meet the ordinary expenses of government for future years. If it would meet that demand, some expedient might be resorted to for that relief which the treasury demands. If it is found inadequate to sustain that demand, a permanent fund must be derived from a source as copious and durable as the deficiency is great and continuing.

The estimated receipts from the general fund, for the present year, are \$301,600.00

In that estimate, are included the following items, which will not be produced the succeeding year:

The arrears of taxes,, \$150,000.00

The estimated receipts on lands, &c.

will not produce, next year, more than the last, which was \$45,836.80; the difference between this sum and

\$100,000, included for this year, is.. 55,164.29

205,164.20

Leaving the revenue, to be derived annually from the general fund, at \$96,435.80 as applicable to the purposes of the government after the year 1830, if the fund itself is not diminished. But this amount can hardly be expected, for the estimate upon which it is made includes \$40,000 of the principal as revenue. That amount, annually transferred from principal to revenue, diminishes very perceptibly the amount of the general fund.

The revenue for 1831, except the amount to be derived from the sale of lands belonging to the general fund, would not exceed the sum of \$96,435.80. The ordinary expenses of the government for that year, will probably amount to the same as for the current year, with the exception of \$30,000, which is included in the estimate for 1830, as being necessary to finish the Sing-Sing prison. But if the plan of a prison for female convicts is carried into execution, this item ought not to be deducted, but increased, in the estimate for

that year. The probability of such a measure, or the extension of the Sing-Sing prison, induces us to continue it : making an estimate of expenses, for 1831, of \$301,600, which will be a demand on the general fund for that year, whilst the revenue from that fund amounts only to the sum of \$96,438.80 ; leaving a deficiency of \$205,161.20. To this amount must be added the appropriations which may be made by the legislature for that year, and the probable deficiency in the revenue necessary to support the Oswego canal, and the Seneca and Cayuga, arising from these canals and their funds. If the deficiency, which has already occurred in the revenue, necessary to sustain these canals, and the contemplated deficiency for the present year, are provided for, the deficiency for the year 1831 will probably be, on the Oswego canal \$15,000, and on the Seneca and Cayuga canal \$10,000 ; making a deficiency of 230,161.20, to be met by other means than the revenue of the general fund.

The committee do not consider this deficiency temporary, but an enduring burthen, beyond the ability of the general fund to sustain. Temporary relief may be afforded, by converting the general fund into money, and to the extent of the avails, meeting the demands as they arise. This species of relief would, however, only postpone the period of still greater embarrassment, by increasing the amount to be raised in proportion to the decrease of the fund.

The general fund of the state has, within the last fifteen years, undergone a very important change ; from \$4,396,943.97, it has been reduced to the amount of \$1,049,053.10, from which revenue can be derived. This diminution has arisen from appropriations to the school fund, literature fund, canal fund, and the payment of a debt which the state owed, of about one and a half million. We feel the less regret that this diminution has occurred, as we are conscious of the noble purposes to which the funds have been applied, and the important benefits which have been conferred on the community by such application. During this period of the diminution of the funds, they have been supported and aided by taxation, to an amount exceeding three and a half millions.

It seems then to have been the policy of the state to fetch to the aid of the general fund an amount equal to, or rather exceeding, the amount of diminution by the said appropriations, during that period, so as to have the expenses of the government chargeable upon the general fund ; and this charge has not only absorbed the income, but has gradually consumed the fund itself, until necessity compels

us to resort to other means for the future support of the government, unless we deem a total extinguishment of it desirable, or rather preferable to an immediate resort to other means.

Although we should not propose the creation of a fund which should oppress the industry of the country, the income of which should be sufficient to meet the calls upon the treasury; neither do we believe that it is expedient totally to consume that which has been created by the wisdom of former legislatures. The small remnant of which we have left, we think, might be preserved in justice to the memory and patriotism of those who created it for the benefit of their successors, and to meet sudden, but imperious calls, which are sometimes made, but cannot be anticipated.

At the first view it appears strange that when peace pervades our borders, when every species of domestic industry is prospered, and when the state is not engaged in the construction of expensive works, that a resort to taxation should be necessary to defray the ordinary expenses of government. This appearance is removed and the necessity made apparent, by an examination of the means available to the treasury. The diversions which have been made from the general to the canal fund will be obvious, when it is remembered that two items thus diverted, the auction and salt duties, have, in the last three years, produced to that fund the sum of \$1,102,620.59; a sum greater than the present value of the general fund, by \$58,-567.49, and greater than the ordinary expenses of government for the same period, by the sum of \$186,120.59.

In the year 1814, a direct tax of two mills on the dollar was imposed on the taxable property in the state, to raise the means of meeting the calls upon the treasury. The necessity then was not so great as at the present period. That tax was continued for three years, when it was reduced to one mill on the dollar. It continued at that sum for six years, when it was again reduced and fixed at one half of a mill, at which it continued for two years, when it was wholly discontinued. Since the discontinuance of the state tax, the revenue of the general fund has every year fallen short of satisfying the claims upon the treasury, and that deficiency increases year after year. From the time of that discontinuance to the present period, the officer who has had charge of the fiscal concerns of the state, has urged upon the Legislature the necessity of improving and increasing the revenue, and placing it in a condition to

meet the calls upon it, and that too by taxation. The recommendation so often repeated, should not be disregarded.

The following table shows the amount received into the treasury from the state tax, which was imposed in 1814, for each year of its continuance, whether at two mills, one, or half mill :

In 1816, a tax of two mills produced	\$461,713	15
1817, " " "	491,137	81
1818, " " "	524,934	92
1819, " one mill produced	263,887	20
1820, " " "	233,172	90
1821, " " "	229,577	11
1822, " " "	198,974	38
1823, " " "	202,266	11
1824, " " "	241,090	91
1825, " half mill produced	134,692	47
1826, " " "	147,534	17

According to the estimate of the committee, the deficiency for the present year will be \$152,360 73 ; and this sum is far less than is expected in succeeding years. In 1831, the deficiency is estimated at \$230,161 20, without including any thing for specific appropriations by the Legislature.

From 1819 to 1824, inclusive, the average amount produced by the one mill tax was \$228,000 per annum.

The valuation of the real and personal estate in the several counties in the state, has undergone some change since 1826. There has been generally an increase, but in some cases a decrease. From the best information within the reach of the committee, the total valuation of the real and personal estate within the state, is about \$330,000,000. If the valuation should not be reduced, a tax of one mill on the dollar would produce \$330,000. But some diminution will happen for fees of officers, in collecting and remitting, and from other causes. This would be about \$100,000 more than the estimated deficiency for 1831. It must be borne in mind that the estimate is founded upon the *ordinary expenses* of government, and the great variety of miscellaneous expenses which occur are not estimated. The estimated ordinary expenses of government for 1829, was \$291,500. The actual expenses, (not including the charges upon the particular funds,) were \$486,779 12 ; exceeding the esti-

mates by \$195,779 12. The estimated ordinary expenses of the government for the year 1828 was \$335,000. The expenses, \$552,672 12, (not including the charges upon the particular funds.) This great disparity between the estimated expenses, and the actual expenses, arises from the great variety of miscellaneous charges, and also from special appropriations, which cannot be anticipated so as to form a part of the estimate. In the two last years, the actual expenses chargeable upon the general fund, exceeded the estimated ordinary expenses as follows : In 1828, by the sum of \$217,672 12. In 1829, by the sum of \$195,779 12. We refer to the two last years' expenses, to show that the ordinary expenses by no means include the whole amount that is usually chargeable upon the general fund.

If a tax of one mill on the dollar is imposed upon the real and personal estate which is taxable, the amount which it will raise beyond the ordinary expenses of the government, will not be a sum exceeding the probable calls on the treasury for the year, but it will be sufficient to relieve from embarrassment ; will preserve the residue of the general fund, and save from distress, and perhaps ruin, many who are indebted to the state, whose debts are due on bonds and mortgages for lands sold ; a collection of which, although it produce their ruin, must be made to aid the general fund, unless that aid is procured by other means.

The committee, after a deliberate examination of the subjects referred to them by the resolutions, are of the opinion that it is expedient to authorise a state tax of one mill on the dollar, on the real and personal estate within this state ; and that it is not practicable to defray the expenses of the government without taxation, unless resort is had to the credit of the state ; which, as a matter of policy, they cannot recommend.

IN SENATE,

February 27, 1830.

REPORT

Of the Committee on the Militia.

Mr. Wheeler, from the committee on the militia,

REPORTED AS FOLLOWS:

The committee are well aware, that there is a general sentiment pervading the state to abolish the parades and rendezvous of the militia, or to reduce the number of such parades and rendezvous. The committee believe that our present system of militia trainings, are onerous to the great body of the citizens of this state, that they add not to the physical strength thereof, but on the contrary, are calculated by the burthen they impose, to induce great numbers annually, to get rid of the liability to perform military service ; this is chiefly accomplished through the facility in obtaining office, and when obtained, in resigning it. We believe that there are annually struck from the rolls of your militia, numbers sufficient to form regiments, if not brigades. We think we hazard nothing in saying, that at this day, one-third of the efficient men of our state, between the ages of eighteen and forty-five, do not perform or render military service of any kind whatever.

The troubles in Europe, after the war of the revolution, and out of which grew the French revolution, placed our country in those days gone by, in a far different situation than that in which we are now placed ; the collisions in which we were brought with the belligerents, by being common carriers on the highway of nations, left it uncertain whether we could avoid being drawn into a war, and which

finally drew us into one with Great Britain. Hence it was necessary to have our militia as different from what is now required-as would be the peace establishment of our army, with that of a war establishment, yet our militia system is the same now, that it then was.

The state of the civilized world, at this time, in the opinion of the committee, will justify and demand a reduction of military service required of the citizen; to obtain this, the committee propose to simplify the militia law, so as to require of the militia, other than uniform companies, but one rendezvous, and that for inspection in each year, and of uniform companies, one training in addition thereto.

It is intended that the provisions of the act proposed, should be a peace establishment for the militia, and in that view, the committee have provided, that all moneys collected from delinquents, shall be paid into the hands of the commissioners of common schools, of the town in which the delinquent resides, in aid of education to the rising generation, and which will add more, in the opinion of the committee, to the security and durability of the liberties of our country, than the most rigid discipline which could be enforced on our militia.

Having, as we supposed, by the law proposed, lightened the burden now imposed on the citizens liable to perform military service, the committee have provided that no fees should be allowed to persons belonging to the militia, for services rendered under the provisions of this act, other than to a constable for collecting fines.

The prominent alteration of chapter ten, part first of the Revised Statutes, proposed in the act herewith submitted, relate to title five of the said chapter; very few alterations have been made in the other titles of that chapter. It will be seen that courts-martial are chiefly dispensed with, and a summary mode adopted in imposing and collecting fines. Temptations have been removed from officers, in imposing unjust fines, and an inducement held out in the disposition of them, to enforce justice on all delinquents.

The committee do not pretend, that the law now proposed, is such a law as will satisfy all, but they do believe, that it will preserve and increase the physical force of the state, and lessen the unequal operation of the present law on our fellow citizens.

The committee have added a section, exempting persons actually employed on the canals of incorporated companies, from military and jury service.

The herewith submit the bill.

IN ASSEMBLY,

February 26, 1830.

ANNUAL RETURN Of the Dutchess County Bank.

*Dutchess County Bank,
Poughkeepsie, Feb. 22, 1830*

SIR—

In conformity with the provisions of the charter of this bank,
I have the honor to transmit, enclosed, the statement of its funds.

I have the honor to be,

Sir, most respectfully,

Your ob't. servant,

W. CUNNINGHAM, *Cashier.*

To the Hon. ERASTUS ROOT,

Speaker of the House of Assembly.

[No 207.]

1

THE FEDERALIST

An American Political Journal

Edited by Alexander Hamilton, John Jay, and George Washington
and other distinguished Americans, the most eminent political writers of the time.
Published weekly, 1776-1788.
Price, \$1.00 per volume.
Subscription price, \$1.00 per year.
THE FEDERALIST

*A political newspaper, published weekly,
at New York, 1776-1788.*

[P. 700. m. 1.]

STATEMENT

Of the funds of the Dutchess County Bank, (of Poughkeepsie,) February 15th, 1830.

DUE FROM THE BANK.

Stock paid in,.....	\$75,000 00
Bank notes in circulation,.....	223,698 00
Nett profits on hand,.....	9,565 98
Balances due other banks,.....	6,584 53
Individual credits,	97,237 90
	<hr/>
	\$412,036 41

RESOURCES OF THE BANK.

Notes discounted and other sureties,.....	\$275,903 74
Specie,	\$36,313 03
Balance due from Phœnix bank, New-York,.....	\$68,923 41
Phœnix bank certificates of deposit.....	6,810 81
	<hr/>
	75,734 22
Bills of New-York and other specie pay- ing banks,.....	5,762 00
Balances due from specie paying banks,	6,241 78
	<hr/>
Banking-house and lot,.....	124,051 03
do. furniture, &c.	5,637 50
Bills of Columbia and various other broken banks,....	3,028 32
In suspense,.....	143 00
	<hr/>
	3,272 82
	<hr/>
	\$412,036 41

Dutchess County, ss.

James Emott, president, and Walter Cunningham, cashier of the Dutchess County bank, having been sworn, depose and say, that the foregoing is a full and true account of the funds and property of the bank; that the amount of capital stock subscribed, is \$150,000, of which one-half is paid in; and that the amount of specie above mentioned, is bona fide the property of the bank, and has not been borrowed or in anywise obtained with the view to make this return.

And these deponents further say, that since the last annual return, the bank has kept an account in the city of New-York, up to the 1st June, in the North River bank, and after that day in the Phoenix bank, in order to have its bills receivable and current in New-York, so that such bills might pass in the state and elsewhere, without discount; and the directors have accordingly ordered such surplus funds as were not needed at the bank for its ordinary business, to be sent to the said city banks to redeem the paper there, and that the sum above stated as being in the Phoenix bank, are the funds of this bank, placed there for the aforesaid purpose with the ordinary means of the bank: And these deponents further say, that the balances due the other banks, as stated in the preceding statement, is for collections recently made for such banks, and not yet remitted.

JAMES. EMOTT,
WALTER CUNNINGHAM.

Sworn before me, this 22d Feb. 1830.

DAVID V. N. RADCLIFF,
Supreme Court Commissioner.

No. 208.

IN ASSEMBLY,

February 23, 1830.

ANNUAL REPORT

Of the Comptroller, of the Expenditures on the
Canals, for the year 1829.

COMPTROLLER'S OFFICE,
Albany, Feb. 22d, 1830. }

Hon. ERASTUS ROOT,

Speaker of the Assembly,

SIR—

I have the honor herewith to transmit to you a report made pursuant to the provisions of sec. 42, title 9, chap. 9, of the first part of the Revised Statutes, showing the expenditures on the canals, during the year 1829.

I have the honor to be,
With great respect,
Your obedient servant,

SILAS WRIGHT, Jr.

[No. 208.]

1

REPORT.

STATE OF NEW-YORK, }
COMPTROLLER'S OFFICE. }

Albany, February 22, 1830.

The Comptroller in obedience to the provisions of the "law relative to the funds, revenue, expenditures, and property of this state, and the administration thereof,"

RESPECTFULLY REPORTS :

That the annexed statement A, exhibits the several sums paid to the Canal Commissioners, and the amount expended by them respectively, and also the total amount expended by the Superintendents of repairs.

B, shews the several sums expended by William C. Bouck, on the Erie and Champlain canals, the time when, the names of the persons to whom, and the purposes for which the same were paid.

C, the same by Henry Seymour, on the Erie Canal.

D, " " " Oswego canal.

E, " William C. Bouck, " Cayuga & Seneca canal.

F, shews the amount expended by each of the superintendents of repairs, on the Erie and Champlain, Oswego and Cayuga and Seneca canals, during the year 1829.

All which is respectfully submitted,
SILAS WRIGHT, Jr.

DOCUMENTS.

(A.)

Statement, shewing the sums received and expended by the Canal Commissioners, for repairs and improvementis of the Erie and Champlain canals, and for the construction of the Oswego and Cayuga and Seneca canals, during the year ending 1st January, 1830.

DR.

WILLIAM C. BOUCK.

1829.	To balance from account,.....	\$37.44
Jan. 29,	" cash of com'rs of canal fund,	4,000.00
March 2,	" do do	10,000.00
April 4,	" do do	4,000.00
" "	" do do	2,400.00
May 26,	" do do	10,000.00
June 13,	" do do	5,335.77
July 15,	" do do	10,384.18
Aug. 24,	" do do	3,235.19
Oct. 21,	" do do	2,000.00
1830,		
Jan. 14,	" cash received of Charles T. Whippo, for a levelling instrument,	\$60.00
"	" cash received of Alfred Barrett, for do.	42.00
		102.00
"	Amount of a voucher taken of David Thomas, for amount paid him for exploring route of Bath and Penn-Yan canals, erroneously credited, there being no authority to allow the same,	200.00
		\$51,694 58
	Deduct amount repaid to the commissioners 25th January, 1830,	2,900.00
		\$48,794.58

CR. ERIE AND CHAMPLAIN CANAL.

1829.

Feb. 21,	By vouchers produced for ex-			
	penditure of	\$5,912.57		
March 31,	" do do	2,045.56		
April 4,	" do do	2,400.00		
May 26,	" do do	6,712.04		
June 13,	" do do	2,333.14		
July 15,	" do do	2,957.65		
Ang. 18,	" do do	2,140.00		
Oct. 21,	" do do	850.00		
Nov. 17,	" do do	880.00		
1830.				
Jan. 5,	" do do	64.14		
" 14,	amount of his salary for 1829, see No. 651 of ex-			
	penditure on Erie canal,..	1,500 00		
				\$27,795.10

CR. CAYUGA AND SENECA CANAL.

1829.

Feb. 21,	By vouchers produced for ex-			
	penditure of	\$5,558.35		
March 31,	" do do	189.68		
May 26,	" do do	1,542.97		
June 13,	" do do	3,002.63		
July 15,	" do do	7,426.53		
Aug. 18,	" do do	1,095.19		
Oct. 21,	" do do	2,034.25		
Nov. 17,	" do do	100.00		
1830.				
Jan. 5,	" do do	33.90		
				20,983.50
				\$48,778 60

DR.**HENRY SEYMOUR.**

1829.

Jan. 29,	To cash of commissioners of canal fund,	\$5,000.00
March 2,	do for the balance of \$2,000, advanced to Sam'l Peck, 18th Aug. 1828, as superintendent of the con- struction of lock No. 2, Os- wego canal. Mr. Peck died during the work, after ex- pending \$500, the advance,	1,500.00
	Amount carried forward,...	\$

			Amount brought forward,.. \$
March 2,	" cash of commissioners of canal fund,		17,573.85
" 27,	" do do		10,000.00
April 4,	" do do		3,553.37
May 8,	" do do		3,482.49
" 26,	" do do		5,414.53
Aug. 24,	" do do		7,567.54
			<u>54,091.78</u>

CR. OSWEGO CANAL.

1829.

Feb. 19,	By vouchers produced for ex- penditure of	\$8,506.49
March 2,	" do do	5,875.61
" 27,	" do do	7,993.37
May 8,	" do do	3,482.49
" 26,	" do do	635.94
Aug. 24,	" do do	2,298.54
1830.		
Jan. 14,	" do do	922.64
		<u>29,715.08</u>

CR. ERIE CANAL.

1829.

Feb. 19,	By vouchers produced for ex- penditure of	\$2,555.75
March 2,	" do do	636.00
" 27,	" do do	2,060.00
May 26,	" do do	4,778.59
Aug. 24,	" do do	5,269.00
1830.		
Jan. 14,	" do do	4,513.11
"	amount of his salary for 1829, (see No. 202 of ex- penditures on Erie ca- nal,)	1,500.00
		<u>21,312 45</u>
		<u>\$51,027.53</u>

Summary of the Receipts and Expenditures by the Canal Commissioners, from the passage of the "act respecting navigable communications between the great western and northern lakes, and the Atlantic ocean," on the 15th day of April, 1817, to the settlement of their accounts, in January, 1830.

RECEIPTS.

Myron Holley received, as stated in the report made by the Comptroller, 20th Feb. 1821, (see Assembly Journal, page 580,)	\$1,414,416.63
Do. made 21st March, 1822, (see Appendix B, Assembly Journal,)	385,008.95
Do. made 17th March, 1823, (see Appendix E, do.)	345,000.00
Do. made 16th Feb. 1824, (see Appendix C, do.)	370,020.00
Do. made 19th Feb. 1825, (see Appendix F, do.)	35,533.94
To which, add amount paid by commissioners of canal fund, pursuant to the "act to provide for the payment of certain notes given by Myron Holley, as treasurer of canal commissioners," passed March 17th, 1825, and also to the "act for the relief of John Thayer and Samuel Learned," passed 17th March, 1826,	17,155.91
	<hr/>
	\$2,567,135.43

Note—The assignment by Myron Holley, of his real and personal property to the state, was to operate, in the opinion of a majority of the commissioners of the canal fund, as a discharge of any balance which they might find against him, on the investigation which they were directed to make, pursuant to the act entitled, "An act to provide for the settlement of the accounts of Myron Holley, late canal commissioner," passed 21st April, 1825. The commissioners found a balance against him, of \$30,965.27. Since this examination, Mr. Holley has been charged with \$1,347.33. It is, perhaps, a matter of doubt, whether this charge of \$1,347.33, was discharged by the assignment:

William C. Bouck received, per report of 1822,	\$1,589.80
do do 1823, 276,000.00	<hr/>

Amount carried forward,.. \$

William C. Bouck received, per report of	1824,	\$534,057.64
do do	1825,	1,045,250.69
do do	1826,	489,464.63
do do	1827,	78,890.48
do do	1828,	80,586.60
do do	1829,	150,697.29
do do	1830,	48,757.14
		<hr/> 2,705,294.27

Henry Seymour received, per report of	1821,	\$192,375.34
do do	1822,	640,960.36
do do	1823,	805,040.97
do do	1824,	413,261.14
do do	1825,	185,125.00
do do	1826,	237,246.59
do do	1827,	301,212.79
do do	1828,	255,254.10
do do	1829,	122,107.11
do do	1830,	54,091.78
		<hr/> \$3,206,675 18

Samuel Young

Received, per report of	1821,	\$410,168.47
	1822,	144,472.72
	1823,	518,767.05
	1824,	466,469.18
	1825,	105,870.46
	1826,	150,224.03
	1827,	199,000.00
	1828,	36,371.54
	1829,	3,054.20
		<hr/> 2,034,397.65

Total amount of receipts,	\$10,513,502.53
----------------------------------	------------------------

EXPENDITURES.

The above sums have been accounted for as follows:
By Myron Holley, agreeable to

report, made 20th Feb.	1831,	\$1,407,444.94
31st Mar.	1822,	391,980.63
17th Mar.	1823,	349,036.16
16th Feb.	1824,	366,042.02
19th Feb.	1825,	19,475.66
25th Mar.	1826,	843.41
		<hr/> \$2,535,822.83

By William C. Bouck,	
per report of 1822,	\$1,589.80
1823,	267,353.53
1824,	542,704.11
1825,	1,045,181.23
1826,	489,957.78
1827,	78,466.79
1828,	82,933.44
1829,	148,313.01
Present report,	48,778.60
	<hr/>
	\$2,705,278.29
By Henry Seymour,	
per report of 1821,	\$194,525.69
1822,	638,810.01
1823,	806,805.63
1824,	410,226.54
1825,	186,424.78
1826,	237,216.75
1827,	297,836.58
1828,	259,649.80
1829,	121,087.62
Present report,	518,027.53
	<hr/>
	3,203,610.93
By Samuel Young,	
per report of 1821,	\$402,552.90
1822,	152,088.29
1823,	518,767.05
1824,	466,475.17
1825,	105,638.51
1826,	150,224.03
1827,	187,565.18
1828,	50,860.56
	<hr/>
	2,034,171.69
Total amount of expenditures,.....	<hr/>
	\$10,477,883.74
Balance for which Mr. Holley has not rendered vouchers, (see for- mer reports and Comptroller's books)	32,312.60
Balance due from Mr. Bouck,....	15.98
Do. unexpended, due from Mr. Seymour,	3,064.25
	<hr/>
Amount of toll collected on the Champlain canal, in 1823, charged to commissioners and paid by them,	225.96
	<hr/>
	\$10,513,502.53
	<hr/>

Expenditures by the Canal Commissioners.

ERIE & CHAMPLAIN CANALS.

Total amount of expenditures, agreeably to report of 1821,	\$3,004,523.53
1822,	1,184,468.73
1823,	1,941,962.37
1824,	1,785,447.84
1825,	1,356,720.18
1826,	833,146.97
1827,	368,103.51
1828,	162,130.10
1829,	91,902.72
Present report,	49,107.55
	9,777,513.51

OSWEGO CANAL.

Total amount of expenditures, agreeably to report of 1826,	\$44,070.00
1827,	188,445.57
1828,	186,021.00
1829,	86,579.37
Present report,	29,715.08
	534,831.02

CAYUGA & SENECA CANAL.

Total amount of expenditures, agreeably to report of 1826,	\$1,025.00
1827,	7,319.47
1828,	45,292.70
1819,	90,918.54
Present report,	20,983.50
	165,539.21

Total of expenditures by the canal commissioners, \$10,477,883.74

Expenditures by Superintendents of Repairs.

ERIE & CHAMPLAIN CANALS.

In 1826, per report made to the Assembly, 17th Feb. folio 560, of 1827,	\$182,162.19
In 1827, per report of 1828,	232,472.88
1828, do. 1829,	225,846.49
1829, per present report,	232,931.05
	\$873,412.55

OSWEGO CANAL.

In 1828, per report of 1829, per present report,	1829,	\$8,637.19 13,003.45
		<hr/>
		21,640.64

CAYUGA & SENECA CANAL.

In 1829, per present report,.....	8,499.45
Total of expenditures by superintendents of repairs,	\$903,552.64
	<hr/>

(B.)

*Accounts rendered by William C. Bouck, Canal Commissioner,
Erie and Champlain Canals.*

No. 780.

ALFRED BARRETT.

Services as engineer.

1829, April 27,	\$242.90
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No. 806.

McDONALD & RICE.

Glen's Falls feeder.

Jan. 20,	1,500.00
May 12,.....	700.00
July 8,.....	784.00
	<hr/>
	2,984.00

No. 808.

BORDWELL & BRAYTON.

Re-building three locks at Fort Ann.

Jan. 6,.....	800.00
Feb. 12,.....	1,000.00
April 1,.....	1,500.00
May 15,.....	537.00
	<hr/>
	3,837.00

No. 809.

JOHN VAN NORTWICK.

Services as engineer.

Jan. 20,	58.00
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No. 811.

STACKHOUSE, RICE & Co.

Guard-lock at the head of Fort Edward feeder.

1829, Jan. 27,.....	600.00
April 2,.....	600.00
May 12,.....	900.00
Aug. 14,.....	100.00
Sept. 21,.....	100.00

	2,300.00

No. 812.

D. WRIGHT, Treasurer of Florida Bridge Company.

Towing-path bridge across Schoharie creek.

Jan. 27,.....	1,000.00
May 6,.....	750.00
July 21,.....	1,000.00
Oct. 1,.....	750.00
Nov. 14,.....	800.00

	4,300.00

No. 813.

DIBBLE & McGINNIS..

Re-building abutment of Fish creek aqueduct.

March 22,.....	300.00
May 11,.....	892.48

	1,192.48

No. 814.

STACKHOUSE & GRIFFING.

Guard-lock at the head of Glen's Falls feeder.

May 18,.....	300.00
July 7,.....	500.00
Aug. 14,.....	300.00

	1,100.00

No. 815.

KING & LIVINGSTON.

Paddle-gates.

June 10,.....	240.24
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No. 816.

CANVASS WHITE, Pres't of Cohoes Bridge, Comp'y.

Towing-path bridge across the Mohawk river.

June 13,.....	1,000.00
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No. 651.

WILLIAM C. BOUCK.

His salary as canal commissioner,...	1,500.00
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No. 631.

Miscellaneous accounts of payments on the Erie
and Champlain canals:

1829, Feb. 12,	John F. Clarkson, for erecting crane, &c.	\$129.57
" 19,	George Edson, for damages,	100.00
" 20,	Ralph Clark, do	40.00
" 12,	Joseph Waggoner, do	225.00
" 13,	Thomas Hillhouse, do	350.00
" 17,	Sarah Curtis, do	50.00
" "	Elbert Visscher, do	60.00
Feb. 3,	Richard L. Smith, do	100.00
March 22,	Esek Cowan, do	1,862.00
" 20,	James Myers, erecting weigh scales,	83.56
April 4,	Uriah Shearer, for damages,	80.00
" 8,	do do	620.00
May 11,	Betsey Jakway, do	105.00
" "	Lodowecus L. Viele, do	90.00
" 14,	Elijah Butterfield, do	200.00
" "	E. & S. Butterfield, do	300.00
" "	Josiah Harris, do	60.00
" 18,	Richard Burt, do	156.50
" "	E. & S. Butterfield, do in full,	123.00
" "	Elijah Butterfield, do do	119.00
" "	S. Butterfield, do	140.50
" "	Lyman Littlefield, do	257.56
" "	Joseph Campbell, do	105.00
" "	Oliver Griffin, do	100.00
" "	Henry Barnhart, do	100.00
" "	William Baker, do	76.00
June 9,	Henry Van Schaick, do	850.00
" "	Gerard Van Schaick, do	950.00
" 10,	Samuel Jackson, do	50.00
July 6,	Noah Payn, do	184.00
" 9,	Daniel Payn, do	412.00
" 10,	John Smith, do	77.65
" 12,	Jas. Van Der Werken, ex'r., &c. do	30.00
Aug. 14,	William McAuley, for damages,	300.00
" "	Stephen V. R. Sweet, do	50.00
" "	Noah Payn, do	240.00
" "	Moses Billings, do	40.00
" "	Samuel Bennett, do	50.00
" "	Zachariah Reynolds, do	30.00
Nov. 6,	James Rogers, do	80.00
May 18,	John K. Averill, for printing notices,	2.00
March 25,	Croswell & Van Benthuysen, do	14.50
" "	do do	11.56
July 8,	James Wright, do	2.00
Sept. 22,	E. Brainard, weighing scales,	33.08
	Blank book,	1.00

Total amount expended by Wm. C. Bouek, on
the Erie and Champlain canals,..... \$27,795.10

(C.)

*Accounts rendered by Henry Seymour, Canal Commissioner.***ERIE CANAL.**

No. 791.

DAVID FITZGERALD.

Mason-work.

Feb. 12,	1,000.00
April 25,	1,000.00
June 20,.....	500.00
Aug. 4,.....	1,500.00
Oct. 6,	1,300.00
Dec. 17,.....	1,500 00
	<hr/>
	6,800.00

No. 348.

JOHN C. BROWN.

Embankment.

Feb. 24,.....	290.00
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No. 561.

DARIUS EGGLESTON.

Making fence:

March 20,.....	12.50
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No. 869.

PLINY DARROW.

Carpenters work.

Feb. 2,	1,500.00
March 6,	1,500.00
April 16,	2,000.00
" 25,	778.59
" "	1,000.00
	<hr/>
	6,778.59

No. 899.

HORATIO N. HÉWES.

Building dam.

July 29,.....	467.00
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No. 900.

JEREMIAH BRAINARD.

Erecting scales at Utica.

Aug. 19,	2,500.00
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No. 846.

PAYMENTS FOR DAMAGES.

Feb. 12, James Van Volkenburgh,	\$50.00
“ 24, Clement & Margaret Fralick, ...	274.00
“ 28, Douw B. Slingerland,	72.00
Mar. 9, John Folts,	300.00
“ 23, Angelica Schermerhorn,	247.50
May 25, Elisha Beebe,.....	40.00
“ “ Nehemiah Tower,.....	60.00
June 16, Isaac Nutmans, administrator,...	12.00
July 28, John Forster,	300.00
Aug. 13, Mary Gumair, administratrix,...	250.00
Sept. 15, Gideon Raymond,	1,000.00
1830.	
Jan. Alex. Robb, executor,.....	21.00
	<hr/>
	3,626.50

No. 847.

MISCELLANEOUS ACCOUNTS OF PAYMENTS
ON THE ERIE CANAL.

1827, Oct. 18, Chauncey Beach, publishing notice,.....	3.00
1828, Nov 28, Croswell & Van Benthuysen, do.	2.75
1829, Oct. 16, Geo. Williams & Co. do.	3.45
“ Nov 20, J. D. Daniels, materials for weigh lock,.....	188.66
1830, Jan. 9, Orville W. Child, services &c. as engineer,.....	150.00
	<hr/>
	347.86

No. 202.

HENRY SEYMOUR.

Canal Commissioner.

His salary for 1829,.....	1,500.00
Total amount of preceding payments, by Henry Seymour, on the Erie canal,.....	\$21,312.45

(D.)

**Accounts rendered by Henry Seymour, Canal
Commissioner.**

OSWEGO CANAL.

No. 7.

CADY, CASE, & Co.
Sections 6, 7 and 12.

1829, Jan. 15,		\$55.06
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No. 9.

HENRY & JOSEPH WARD.
Sec. 3, 9, and 10.

March 21,	\$200.00
April 14,	111.54
	—
	311.54

No. 13.

NATHANIEL ALLEN & Co.
Lock and dam contract.

March 21,	6,911.87
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No. 14.

HIGGINBOTHAM & HITCHCOCK.

Lake sec. No. 4, and sec. No. 11.

April 8,	2,400.32
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No. 16.

JAMES HOWARD.
Horse-Shoe dam.

Jan. 19,	1,000.00
" 31,	200.00
Feb. 21,	318.38
	—
	1,518.38

No. 17.

JOHN COOK.
Sec. No. 3.

March 13,	635.94
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No. 18.

JOHN E. SMITH.
Sec. No. 4 and 5.

March 2,	334.34
[No. 208.]	3

No. 19.

SAMUEL BRONSON.

Lake sec. No. 2.

1829, Feb. 12,.....	3,489.81
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No. 20.

THOMAS ROSE.

Work on lake sec.

Feb. 29,.....	313.37
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No. 22.

JEREMIAH CLARK, jr.

Sec. No. 3.

Feb. 18,.....	2,798.74
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No. 23.

THOMPSON FALLEY.

Sec. No. 4.

March 23,	881.50
July 9,	200.00
	1,081 50

No. 24.

PATRICK B. BILL.

Sec. No. 5.

Jan. 8,.....	50.00
Feb. 25,.....	1,098.06
	1,148.06

No. 26.

CALVIN MITCHELL.

River sec. No. 1,

Jan. 23,.....	290.00
Feb. 12,.....	616.82
	906.82

No. 27.

ORVILLE W. CHILD.

Engineer.

Feb. 28,.....	318.14
March 2,.....	694.58
1830, Jan. 9,.....	827.12
	1,839.84

No. 28.

JAMES JOHNSON.

For timber.

1829, Jan. 13,	326.59
" "	50.00

376.59

No. 29.

NATHAN EATON.

Horse-shoe dam.

Aug. 10,	2,043.48
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No. 31.

WILLIAM L. CROSSETT.

Lock No. 2.

1828, Dec. 21,	1,298.50
1829, Feb. 2,	650.61
March 2,	95.52

2,044.63

No. 32.

PLINY DARROW.

Labor.

April 25,	920.63
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No. 30.

*Miscellaneous accounts of payments
on the Oswego Canal.*

1828, Oct. 8, Lewis King, for lime, ..	253.00
Dec. 19, Luther Palmer, for labor,	50.00
1829, Jan. 9, Nathan Huntly, for tim-	
ber,	176.16
" 14, Thomas Beattie, painting	
locks, &c.	105.00

	584.16

Total amount expended by the commissioners,
on the Oswego canal,

\$29,715.08

(E.)

Payments made by William C. Bouck, on the Cayuga and Seneca Canal.

No. 5.

JOHN L. BIGELOW.

Lock No. 11, excavating canal, and for labor.

1829, Jan. 21,.....	161.56
" "	500.00
Feb. 15,.....	300.00
April 16,.....	500.00
June 25,.....	429.35
	1,890.91

(No. 6.)

PATRICK B. BILL.

Allowance by canal board, on his contract, for section No. 16.

April	150.00
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No. 12.

WILLIAM GRIGGS.

For sec. No. 2 and 6.

Jan. 12,.....	37.50
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No. 24.

HOVEY & WINES.

Lock No. 2.

July 14,.....	49.00
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No. 29.

LEWIS McCLOUD.

Lock No. 1, and sec. No. 10.

Jan. 14,.....	390.40
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No. 30.

JACOB CHAMBERLAIN.

Labor.

Feb. 17, ,.....	543.92
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No. 36.

DAVID THOMAS,

Engineer.

Jan. 6,.....	7.06
June "	10.00
	17.06

No. 39.

HENRY HILL & Co.

Allowance made by canal board, on their contract for
section No. 24.

1829.

June 11,.....	346.00
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No. 40.

NOAH DENNIS.

Engineer.

June 26,	240.00
Oct, 30,	100.00
	<hr/>
	340.00

No. 41.

BAKER & SMITH,

Sec. 7, 13, 14, 15.

June 6,	104.14
" 25,	200.00
Aug 17,	355.92
" "	500.00
	<hr/>
	1,159.86

No. 42.

TILLMAN & BROWN.

Sec. No. 11 & 12.

Jan.	309.57
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No. 43.

BEARD & BARCLAY.

Sec. No. 31 & 32.

Jan. 19,.....	500.00
April 15,.....	300.00
June 11,.....	372.17
" "	1,600.00
	<hr/>
	2,772.17

No. 44.

YOUNG, WILLARD & OLMSTEAD,

Lateral canal.

Jan. 27,	2,000.00
Feb. 19,	500.00
June 26,	4,000.00
Oct. 13,	2,000.00
	<hr/>
	8,500.00

No. 45.
TILLMAN & BIGELOW.

1829.		
June 25,		407.78

No. 46.
WILSON N. BROWN,
Labor.

April 17,	250.00
May 20,	250.00
June 25,	<u>1,175.77</u>
	1,675.77

No. 37.

*Miscellaneous account of payments on the Cayuga
and Seneca canal.*

Jan. 7, David Thomas, exploring canal routes,.....	\$200.00
Feb. 10, John F. King, for cast iron wicket gates,	66.40
Jan. 1, E. Martin, for building fence,.....	135.50
Feb. 27, Benj. Samout, for labor,.....	54.18
April 16, Sam'l. Stowell, for lock tending, &c.,.....	92.97
June 10, King & Livingston, for paddle gates,.....	73.36
" 23, Barclay & Sentell, for constructing break water,	430.83
" " H. W. Dobbin, for making fence,.....	104.50
" 26, Danl. Obermyer, for labor,.....	29.80
" " Nicholas Morgan, for making fence,	42.50
" " John E. F. Clarke, do.	123.00
" " Solomon P. Jacobs, do.	243.00
Aug. 15, Stephen N. Bayard, for damages,.....	239.47
Mar. 28, Daniel Rogers, for paddle gates,.....	506.96
Oct. 13, Loring Willard, for labor,	34.25
Mar. 12, John Farrand, for trimming tow-path,	10.00
June 29, Jno. C. Van Buskirk, for removing fence,....	6.84

Total amount expended by the commissioners, on the
Cayuga & Seneca canal, \$20,983.50

ST, Iroquois and Cayuga and Seneca Canals,

NAM	Disbursements.	Total.	
Wa	16,487.21	17,187.21	
Wil	13,688.40	14,388.40	
Jos	7,383.79	7,683.79	
*Zel	8,504.14	8,804.14	
Aar	30,683.13	31,383.13	
Rob	36,498.61	37,038.61	
Nat	14,532.11	15,132.11	
Shu	11,765.97	12,365.97	
Ste	12,906.78	13,506.78	
Eli			
Ala	17,897.27	18,497.27	
W	21,009.40	21,609.40	
Th	21,581.25	22,181.25	
†A	11,700.86	12,200.86	
	719.49	952.13	
			\$232,931.05
	4,225,248.41		

Or 0 18,403.45 13,003.45 13,003.45

Ja	8,049.45	8,499.45	8,499.45
	.....	.....	<u>\$254,433.95</u>

and Buel.

No. 209.

IN ASSEMBLY,

February 19, 1830.

REPORT

Of the Committee on Courts of Justice, on the petition of Gershom Stevens, &c.

Mr. Stevens, from the committee on courts of justice, to which was referred the petition of Gershom Stevens, and the report of the Surveyor-General thereon,

REPORTED—

That it appears from the documents submitted to the committee, that in May 1754, a tract of land in the town of Broome, in the county of Schoharie, was patented to Ury Richtmeyer and others. The patent, after describing the place of beginning on the west side of the Schoharie creek, in the northerly extreme of the tract, in such a manner that it cannot be mistaken, and about which there is no dispute, gives the following courses and distances.—“West 40 chains; then south 124 chains; thence south 18 degrees east, 136 chains; thence south 21 degrees west, 135 chains; thence east 40 chains, to a white pine tree standing on the west side of said creek; thence east 80 chains; thence north 38 degrees east, 100 chains; thence north 121 chains; thence north 19 degrees west, 185 chains; thence west 80 chains, to the place of beginning.”

It will be perceived, that no description is given of the termination of any course, other than its length; excepting where the north and south bounds of the tract intersect the Schoharie creek; and it is believed that the bounds inclosing the tract, had not been surveyed before the date of the patent.

[No 209.]

In 1805, James Cockburn and Jacob Trumpbour, jr. were deputed by the Surveyor-General to survey and allot the unappropriated land adjoining this patent. In doing which, it was necessary to trace and locate so much of the bounds of said patent as laid east of the Schoharie creek. In doing which, the surveyors commenced at the monument designated in the south bounds, and followed the courses and distances laid down in the patent, until they came to the last line, which they run from the termination of the preceding course, straight to the place of beginning. This line they found to be north 73 degrees west, 80 chains.

The land lying along the northeast side of this line, was allotted out by the said surveyors, as belonging to the state, and in 1810 was sold by the Surveyor-General to Asa Starkweather, who assigned the same to the petitioner, Gershom Stevens, who has made improvements and built a house thereon, and peaceably occupied the same until July last, when his right to harvest his crops was denied by a part owner of the Richtmeyer patent, who contended that, as the last line in the patent was described as running, "thence west 80 chains to the place of begining," the preceding line should have been continued so far north as that a line drawn from the point of termination, to the place of beginning, would have been a west line, and that the surveyors erred in confining the length of that line to 185 chains, the distance given in the patent; or, in other words, they insisted that the course mentioned in the last line, should control the length of the former one, although it was mentioned in the patent.

The merits of this case seem to depend on, whether the patentees are right in their construction. If the line spoken of is to be extended north to the point contended for by them, it would include the land of the petitioner, and the state ought at least to give up the bond of the purchaser, and refund the money which has been paid; this being a portion of the relief asked for by the petitioner.

The committee have bestowed their attention to the principle contended for by the owners of Richtmeyer patent, and are unanimously of opinion that it is not sound.

The committee understand that the principle pursued by the gentleman who presides over the Surveyor-General's department with such distinguished credit to himself and advantage to the state, is,

that monuments and well defined localities must control courses and distances. The location, in this case, was in pursuance of this principle; in the soundness of which the committee fully concur, and they have instructed their chairman to ask leave to introduce the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted, and that he have leave to withdraw his papers.

IN ASSEMBLY,

February 24, 1830.

REPORT

Of the Committee on Courts of Justice, to which was referred the bill entitled "An act to repeal so much of the Revised Statutes as gives to the vice-chancellors exclusive jurisdiction in certain cases."

Mr. Robinson, from the committee on courts of justice, on the bill, entitled "An act to repeal so much of the Revised Statutes as gives to the vice-chancellors exclusive jurisdiction in certain cases,"

REPORTED:

That by the second section of the second title of chapter first, of the third part of the Revised Statutes, every circuit judge is declared a vice-chancellor, and original jurisdiction is given to the vice-chancellor, concurrently with the chancellor, in the following cases :

1. When causes and matters shall have arisen within the circuit of such judge.
2. When the subject matter in controversy is situated within such circuit.
3. When the defendants or persons proceeded against, or either of them, reside within such limits.

The fifty-fourth section of the same title provides that all bills and petitions shall be addressed to the chancellor: such as relate to a cause or matter which, according to the provisions of that title, may be heard by a vice-chancellor, shall be presented to such vice-chancellor, and filed with the clerk of the court, residing in such circuit, except that in the third circuit bills and petitions are to be filed with the register, and in the first circuit with the assistant-register.

It will be perceived that the provisions of the second and fifty-fourth sections of the aforesaid title are repugnant to each other, the second section giving to the chancellor original jurisdiction concurrently with the vice-chancellors in the cases therein specified, and the fifty-fourth depriving him of all such original jurisdiction.

By the act entitled "An act concerning the Revised Statutes," section twelve, it is declared, "that if any provisions in the different parts or chapters of the Revised Statutes, are repugnant to each other, that which shall be last in the order therein before declared, shall prevail, and so much of any prior provision as is inconsistent with such last provision, shall be deemed to be repealed thereby;" and thus in effect, the second section of the aforesaid title is repealed by the fifty-fourth section, and the chancellor deprived of all original jurisdiction in the cases therein specified.

The bill referred to the committee consists of a single section, repealing so much of section fifty-four, above mentioned, as confers upon the vice-chancellors exclusive jurisdiction in the cases in said section mentioned.

Without a particular inquiry into the intention of the Legislature in enacting that part of the Revised Statutes, relating to the court of chancery, although it would appear that the Legislature intended that the chancellor should retain original jurisdiction concurrently with the vice-chancellors, in the cases specified in the said second section, the committee are of opinion that it is expedient to repeal the fifty-fourth section aforesaid, and the fifty-fifth section, which depends thereon, and thus restore to the chancellor the concurrent original jurisdiction, of which he is deprived by the fifty-fourth section. This, in the opinion of the committee, in connection with the power now given to the chancellor of sending down causes to be heard by the vice-chancellors, will best promote the interest of suitors in the court of chancery, and it is presumed will be in con-

formity with the intentions of the Legislature in their enactments upon the subject.

The bill referred to the committee, so amended as merely to repeal section fifty-four and fifty-five, of title second, of chapter first, of the third part of the Revised Statutes, ought, in their opinion, to become a law.

No. 211.

IN ASSEMBLY,

February 24, 1830.

REPORT

Of the committee on canals and internal improvements, on the petition of William Harris, Daniel Burt and George M. Burt.

Mr. Curtis, from the committee on canals and internal improvements, to whom was referred the petition of William Harris, Daniel Burt and George M. Burt, praying for an act directing a re-appraisal of damages alleged to have been sustained by them in consequence of the erection of the Saratoga dam across the Hudson river,

REPORTED—

That the petitioners represent that they were the owners and possessors of a valuable mill site situate upon the Hudson river at the foot of Fort-Miller falls, upon which were erected mills for flouring, grinding, &c. and that the same, previous to the erection of the Saratoga dam, were estimated to be worth \$5,000.

That in the year 1826, the canal appraisers examined the premises and assessed the damages sustained by the petitioners at one thousand eight hundred and thirty-two dollars, which sum was duly paid to the said petitioners.

The petitioners however set forth that at the time of the appraisal of their damages, it was expressly averred by the canal appraisers, and so understood, both by them and by your petitioners, that the mills and privileges of the petitioners would be but partially injured by the erection of the Saratoga dam, inasmuch as a power would still be left, which, by the construction of a re-acting water-

wheel, would be amply sufficient to operate said mills. That this consideration formed a part of the *data* upon which the canal appraisers acted, and in reference to which their appraisement was made.

For the correctness of these allegations, the committee were referred by the petitioners to the board of appraisers, consisting of Messrs. Young, Woods and Selden. The committee have seen and conversed with two of the said board of canal appraisers, Messrs. Young and Selden, who concur in the fact that at the time of the appraisement of the damages of the petitioners, the practicability of constructing a wheel upon the principle alluded to by the petitioners, was a subject agitated by the appraisers: that it was by them deemed feasible, and that this consideration, doubtless, influenced them in their estimate of the damages; though how much, and to what extent, they were unable then to state.

The petitioners further allege, and introduce before the committee evidence to establish the fact, that the canal appraisers were mistaken in their supposition as to the feasibility of erecting a reacting water-wheel, with power sufficient to operate said mills; that experienced and intelligent mill-wrights have examined the premises with a view to this object, and given it as their opinion that the power is not attainable upon the principle suggested by the canal appraisers; and, in short, that by the erection of the Saratoga dam, the mills of the petitioners are rendered valueless, and the site whereon they stand utterly destroyed.

The above are the facts in this case as presented to the committee; and from a review thereof, it would seem to be one in which apparent injustice has been done to the petitioners, not from the want of good faith on the part of those whose duty it was to protect as well their interests as those of the state, but from what subsequent examination has shown to be a misapprehension of the facts. It seems that no appeal was made from the decision of the appraisers, owing, as the petitioners allege, both to their then "straitened circumstances," and to the fact, that they were not fully apprised of their inability to avail themselves of the plan suggested by the canal appraisers, till after the lapse of the time provided by law for that purpose.

The committee would not recommend any measure which, by possibility, could be considered as a precedent for opening the door of legislation upon claims, the adjustment and decision of which be-

long to departments especially created for that purpose; and in recommending a re-examination of the premises in the present case, with a view to the exclusive correction of an admitted error, the committee can anticipate no such result. In the case before the committee, an appraisement of damages has been made with reference to a supposed fact, the supposition of which the appraisers themselves admit, has had an influence in the estimate of those damages. Subsequent examination having shown that no such fact existed, it is clear to the committee that the petitioners are sufferers to the amount of that influence, whatever the same may be. The committee, therefore, with reference to this special circumstance, have prepared a bill for the relief of the petitioners, and now ask leave to introduce the same.

No. 212.

IN ASSEMBLY,

February 23, 1830.

REPORT

Of the Select Committee, on the petition of John N. Quackenbush and others, praying for the passage of a law, authorising the appointment of an additional inspector of lumber for the City of Albany.

Mr. Gansevoort, from the select committee to whom was referred the petition of John N. Quackenbush and others, praying for the passage of a law authorising the appointment of an additional inspector of lumber for the city of Albany,

REPORTED :

That the petitioners are lumber merchants, residing in the said city, and that most of them are extensively engaged in that branch of business.

That the number of inspectors of lumber for that city is by law limited to four; and that three of the incumbents who have attended before this committee, agree with the petitioners as to the necessity of having an additional inspector of lumber for that city.

The lumber business, which has become a very important branch of trade in that city, has, during the last three years greatly increased; and the consequent pressure of business upon the inspectors, has frequently, during the last year, subjected the dealers to much delay and inconvenience, in being obliged to wait their turn for the inspection of their lumber.

The committee are of opinion that the appointment of an additional inspector of lumber for the city of Albany, would facilitate the operations in that branch of business, and therefore respectfully recommend the same, and have directed their chairman to ask leave to bring in a bill for that purpose.

No. 213.

IN ASSEMBLY,

February 25, 1830.

REPORT

Of the Committee on Claims, on the petition of Henry Becker.

Mr. P. C. Fuller, from the committee on claims, to which was referred the petition of Henry Becker, a revolutionary soldier,

REPORTED:

That the petitioner alledges, that he enlisted and served in the revolutionary war, and became entitled to the bounty lands assigned to soldiers under similar circumstances ; that after the war he examined the records in the office of the secretary of state and found, as he supposed, that lot No. 31, in the town of Ulysses, was drawn for him ; that he did not procure his patent or take any further steps in relation to the matter, till some time in the year 1828, when, on further examination, it appeared that there was so much doubt whether the lot in question was drawn for him, or for one Henry Baker, another revolutionary soldier, that the petitioner was induced to abandon the prosecution of a suit he had previously instituted against the occupants of the lot.

The testimony submitted to the committee, is not such as to satisfy them that the claim rests on a legal, or an equitable basis, as against the state ; and although they entertain no doubt of the services of the petitioner, as a patriot and a soldier, and although his advanced age and venerable appearance, call forth their warmest sym-

pathies, yet they are forced to the conclusion that the application is not well sustained. The committee submit the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted, and that he have leave to withdraw his petition.

No. 214.

IN ASSEMBLY,

February 23, 1830.

REPORT

Of the Judiciary Committee, against amending Sections 8 and 9, of Chap. 20, of Title 1 of the 1st Part of the Revised Statutes.

Mr. Vanderpoel, from the committee on courts of justice, in pursuance of a resolution of this house, directing them to inquire into, and report to this house, whether it is expedient to amend the 8th section of chapter 20, of title 1, of the first part of the Revised Statutes, so as to give relief to the wives and children of such persons as *abandon* their families, and neglect to provide for them, and do not *abscond*, within the meaning of the present laws,

REPORTED—

That according to sections 8 and 9 of the chapter and title of the Revised Statutes referred to by the above resolution, the overseers of the poor of the several towns in this state, may apply to any two justices of the peace of their county, for a warrant to seize the real and personal estate of any person, who shall abscond from his wife and children, leaving them chargeable, or likely to become chargeable upon the public for their support.

It is contended by those at whose instigation the attention of your committee has been called to this subject, that the powers of the overseers of the poor and justices of the peace ought to be so extended as to enable them to seize, for the support of their families, the property of those who *abandon* their families, but who have not technically *absconded*.

[No. 214.]

Your committee are fully impressed with the obligation that rests upon every head of a family "to provide for his own household;" but while on the one hand they appreciate the sacred character of this duty, inculcated as it is by an authority more obligatory than any human mandate, or legislative enactment, they cannot on the other hand lose sight of the inviolable character in which private property ought ever to be regarded, and of the great caution with which a summary controul over it, like that contemplated by the resolution, ought to be given.

To render the property of improvident parents subject to the provisions of the Revised Statutes, it is necessary that they should *abscond* from those who are the legitimate objects of their support and protection. Every omission to provide for them, and every desertion of his home or his family, does not bring a parent within the letter or the spirit of the statute. The term "*abscond*" has acquired a fixed and *definite* meaning in our law. It implies, not that temporary dereliction of home and family, which is so often occasioned by dissipation and debauchery, but it imports that abandonment of a man's household, which is evidently designed to be permanent, and which precludes the presumption that he intends to return to his conjugal and paternal duties. Your committee cannot but believe, that the *latter* is the sense in which the Legislature intended to use it, in reference to the subject now under consideration; for when the *summary*, if not *arbitrary* proceedings authorised by this statute are considered—the power of the overseers of the poor to seize and sell the property of the absconding party, after merely an *ex parte* examination before two magistrates, it is hardly presumable, that the Legislature intended to extend this summary means of stripping the owner of his possessions, to cases in which another remedy existed, and one too, fraught with less oppression to the delinquent parent, and with equal benefit to his neglected offspring.

It must be remembered, that a legal as well as moral obligation, rests upon every parent to provide his children with sustenance and support. In consonance with this principle, our laws have provided, that a father who neglects to provide for his wife and family, subjects his property and his credit to the use of his family, in so far as they are essential to their maintenance and support. If he neglects to provide for them the necessaries of life, his family have a right to purchase and procure them upon his credit; being always in the exercise of this right, regulated by the parent's circumstances and their

own condition in life. If he has not absconded, in the legal sense of the term, but wanders through his neighborhood to gratify his unfortunate propensities, his person and his property are amenable to the constituted tribunals of the state for that support, which the unnatural father has neglected to furnish : an action can be sustained against him in favor of any person furnishing those necessaries, which the delinquent father has omitted to provide.

But this is not all : the drunkard who is possessed of property is, according to our laws, subject to another proceeding which is admirably calculated to secure his effects to his family—not the summary and *ex parte* operation provided for by the law now under consideration, but a trial before a jury of his country, where he has the opportunity to controvert the charges by which he is sought to be stripped of that, which it may have cost him years of toil and industry to accumulate. The ample means already provided by law to divest habitual drunkards of their estates for the benefit of their families, furnishes a strong argument against the enlargement of the power of justices of the peace, in relation to the subject to which the attention of your committee has been directed. It is against the policy of our law and the genius of our government to take from the citizen his property, without a trial by a jury of his country ; and the extension of the power of magistrates to the cases contemplated by the resolution, is, in the opinion of your committee, forbidden by every dictate of justice and sound policy. Your committee, therefore, beg leave to conclude their report with the following resolution—

Resolved, That it is inexpedient to amend any part of sections 8 and 9, of chapter 20, of title 1, of the 1st part of the Revised Statutes.

No 215.

IN ASSEMBLY,

February 23, 1830.

REPORT

Of the Select Committee, to whom was referred
the Petition of the Supervisors of the county of
Orange.

Mr. A. M. Smith, from the select committee, to whom was referred the petition of the supervisors of the county of Orange, praying for a law to authorise them to raise the sum of \$5,000, for the purpose of completing the poor-house in said county,

REPORTED—

That the petitioners, constituting the whole board of supervisors for said county, represent, that they, at their annual meeting in October last, determined to purchase one or more tracts of land, not exceeding in quantity two hundred acres, and thereon erect one or more buildings suitable for the reception of the poor of said county, pursuant to the act, entitled "An act to provide for the establishment of county poor-houses," which determination has been duly filed in the clerk's office of said county: that in pursuance of that determination, said board of supervisors had contracted to purchase a farm of one hundred and twenty-eight acres, or thereabouts, for the sum of three thousand and two hundred dollars. And the petitioners further represent, that they have ascertained the number of paupers now supported in said county, to amount to almost three hundred; and that the determination of said board is, to erect such buildings as will at all times fully accommodate all of the poor of the county. That the sum of seven thousand dollars, to which said board is limited by the present law, is insufficient for the purchase of the land,

and the erection of such large and permanent buildings as the county will require for the accommodation of all its poor. They therefore pray the passage of a law, authorising said board of supervisors to raise by tax on the real and personal estate of the inhabitants of the county of Orange, a sum not exceeding five thousand dollars, in addition to the sum of seven thousand dollars now allowed by law to be raised; by such instalments, and at such times, as said board may judge expedient to enable said board to erect and complete said buildings.

The committee have devoted to this subject all that attention which the time allotted them would permit, and are satisfied that the experiments now in progress for improving the condition of the poor, reducing the public burthen in their support, and eventually diminishing their number, will be successful if fairly tested. They regret however, that the means which the present law places in the hands of its constituted agents, should in the larger counties be so inadequate to the object desired.

In addition to the erection of a house, the purchase of a farm seems to be of indispensable importance, to enable those who have any ability for the performance of profitable labor, to contribute to their own support, as well as to provide for themselves a variety of the comforts of life, which in those secluded parts of the country usually selected for establishments of this kind, are either not to be purchased, or only at such exorbitant prices as place them beyond the reach of the poor. With inadequate means, the merits of the system cannot be correctly ascertained; and the committee are not disposed to jeopardize the accomplishment of so praiseworthy an object, by withholding the endowment necessary to carry it into effect. They are satisfied that a less sum than that named in the petition, would be utterly insufficient to pay for the farm purchased, and erect and finish buildings necessary for the accommodation of nearly three hundred individuals: satisfied also, that the location is such as public convenience requires, and public sentiment approves, the committee see no objection to granting the prayer of the petition, and ask leave to introduce a bill.

No. 216.

IN ASSEMBLY,

February 27, 1830.

ANNUAL REPORT

Of the Regents of the University.

To the Hon. ERASTUS Root,
Speaker of the Assembly,

SIR,

I have the honor to transmit herewith, the Annual Report of
the Regents of the University to the Legislature.

With great respect,

I am your obedient servant,

SIMEON DE WITT, *Chancellor.*

Albany, February 27, 1830.

[No 216.]

1

ANNUAL REPORT

OF THE

REGENTS OF THE UNIVERSITY

OF THE

STATE OF NEW-YORK.

MADE TO THE LEGISLATURE, FEBRUARY 27, 1830.

ALBANY.

PRINTED BY CROSWELL AND VAN BENTHUYSEN.

1830.

REPORT, &c.

To the Honorable the Legislature of the State of New-York.

Pursuant to the twenty-eighth section of article first of title first of the fifteenth chapter of the first part of the Revised Statutes of the State of New-York, the Regents of the University

RESPECTFULLY REPORT:

That during the present year, reports have been received from Union, Hamilton, and Geneva colleges; from the college of physicians and surgeons in the city of New-York; from the college of physicians and surgeons in the western district; and from fifty-five of the academies subject to their care and visitation. The report for this year, from Columbia college, has not been received.

The following summary of the reports received from the institutions under the superintendence of the Regents, is submitted:

The trustees of Union college report, that eighty-two young gentlemen were admitted to the degree of bachelor of arts, at the last annual commencement. That the whole number of students for the current year has been two hundred and seventeen. The trustees add, that during the last year, the students of the institution have generally prosecuted their studies in a satisfactory manner, and been exemplary in their conduct.

The trustees of Hamilton college report the number of students in college actually attending at the time of their report, as thirty-one, all of whom belong to the three lower classes.

The trustees of Geneva college report, that the whole number of students who have received instruction at the college, during the past year, is forty-one; and that in the preparatory school connected with the college, eighty-six students have received instruction during the past year.

The trustees of the college of physicians and surgeons of the western district report, that the number of students attending the lecture during the term ending in January, 1830, was one hundred

and sixty. A vacancy having occurred in the board of trustees of this college, by the death of Jonathan Sherwood, the Regents, upon the recommendation of the trustees, have appointed Dr. Moses Johnson to supply his place ; and have also, upon the recommendation and report of the trustees, conferred the degree of doctor of medicine upon thirty-three graduates of the institution.

The trustees of the college of physicians and surgeons in the city of New-York report, that the condition of the college is more prosperous than at the period of the last report; and indulge the hope, that with the continued care of the Regents, and the legislative protection which the state affords to the college, recognised by its own authority, they will require no other aid than the well-earned reputation which the present faculty have acquired for talent and research in the various departments of science. That the number of students who have matriculated the present session, is one hundred and sixteen, showing a small increase since the last year : the whole of them, however, do not attend the lectures of each professor, neither do all of them pay for instruction. The trustees of this college have submitted to the Regents, a memorial addressed by them to the Legislature, which the Regents transmit with the documents accompanying this report.

The reports received during the present session from the academies, exhibit an aggregate of three thousand seven hundred and thirty-five scholars belonging to those institutions at the time of making their report; of whom two thousand and thirty are or have been engaged in classical studies, or in the higher branches of English education.

An abstract from the academic reports is herewith transmitted, exhibiting a general view of all the matters embraced in them, together with the distribution made by the Regents of the income of the literature fund for the preceding year, "the names of the seminaries sharing in such distribution, and the amount to be received by each." A similar abstract from the meteorological returns, received from most of the academies, is also herewith transmitted.

The Regenis, in compliance with a resolution of the honorable the Assembly, of the 15th January last, requiring them to lay before that house, in their annual report or otherwise, "a detailed statement of the affairs of Hamilton college, showing, among other things, the grounds of the difficulties under which that institution

is said to have been suffering, the number of students therein during the year past, the number of graduates at the last commencement, the salaries paid to each of the officers of the college during the last year, and the general prospects of that institution," respectfully report :

That not having in their possession any documents affording the information required by the Assembly, they caused a copy of the resolution, as soon as the same was received by them, to be transmitted to the president of the board of trustees of said college, with a request that the information required by it might be transmitted to the Regents, to enable them to lay it before the Assembly in their annual report. In answer to the communication thus made, the Regents have received from the chairman of the board of trustees of said college, the usual annual report of the college, together with an acknowledgment that a copy of the aforesaid resolution had been duly received, accompanied by an intimation that it could not be answered until the next regular meeting of the board of trustees should take place, which would not be before the month of May next: but the Regents have been since informed, by one of the trustees of said college, that a special meeting of the board was to be held in the ensuing month of March, for the purpose of furnishing the information required by the said resolution, to the end that the same might be laid before the Legislature at its present session. The Regents will, therefore, retain the said resolution, and comply with it as soon as they shall be enabled so to do by the trustees of said college.

The Regents would again respectfully call the attention of the Legislature to the difficulty of forming a board for the transaction of business, from the circumstance of so many of their body residing at a distance from the seat of government, and suggest the propriety of reducing the number necessary to form a quorum, from eight to six.

All which is respectfully submitted.

By order of the Regents.

SIMEON DE WITT, *Chancellor.*

G. HAWLEY, *Secretary.*

STRA

University

Algebra, French &
Astronomy, His
gebra, French and

tory U. S., Nat.
, Natural Philos.

BSTR

Compensation or salary of teachers.		
Tuition money for Year ending		
\$3596	\$3900	
346 Tuition money and one half donation from regents.		
1045	1250	
		250 and tuition money.
1 289	1452	1552.25
10 670	250	670

**AN ABSTRACT
OF THE
RETURNS
OF
METEOROLOGICAL OBSERVATIONS
MADE TO THE
REGENTS OF THE UNIVERSITY,
FOR THE YEAR 1826.
BY
Sundry Academicians in this State,
IN OBEDIENCE TO INSTRUCTIONS, DATED
MARCH 1, 1826.
PREPARED BY
T. ROMEYN BECK AND JOSEPH HENRY.**

ACADEMIES.

List of academies reporting.	Town.	County.	Time for which they report.	Observers.
1 Albany,.....	Albany,.....	Albany,.....	The whole year,.....	T. Romeoyn Beck, M. D. Principal.
2 Auburn,.....	Auburn,.....	Cayuga,.....	do.....	Rev. John C. Rudd, D. D. Principal.
3 Cambridge, Washington,.....	Cambridge,.....	Washington,.....	do.....	Rev. Nath. S. Prime, Principal.
4 Canandaigua,.....	Canandaigua,.....	Ontario,.....	do.....	Henry Howe, Principal, Inc. Greig Howell.
5 Cherry-Valley,.....	Cherry-Valley,.....	Otsego,.....	do.....	Dr. Wm. Campbell, a Trustee.
6 Clinton,.....	Clinton,.....	Suffolk,.....	do.....	Hon. Jonathan Dayton.
7 Cortland,.....	Cortland,.....	Cortland,.....	do (except January).....	Oliver S. Taylor, Principal.
8 Delaware,.....	Delaware,.....	Delaware,.....	do (except Aug. and Sept.).....	Robert Tollefree, junr. Principal.
9 Dutchess,.....	Poughkeepsie,.....	Duchesse,.....	do.....	Elijah Foy, Principal.
10 Erastus-Hall,.....	Fairbank,.....	Kings,.....	do.....	I. W. Kellogg, and I. B. Kidder.
11 Fairfield,.....	Fairfield,.....	Herkimer,.....	do (except November).....	David Chasell, jun.
12 Franklin,.....	Pittsburgh,.....	Steuben,.....	do.....	Eli Eady, Robert Porter and Seymour Crookin.
13 Fredonia,.....	Pomfret,.....	Chautauque,.....	do.....	A. Smith and J. A. Eastman, Preceptors.
14 Greenville,.....	Greenville,.....	Greene,.....	From March to December, 1829,.....	Eugert B. Wheeler, Principal.
15 Hamilton,.....	Hamilton,.....	Madison,.....	The whole year, (imperfect).....	Zenas Morse, Principal.
16 Hartwick,.....	Hartwick,.....	Otsego,.....	do.....	Rev. E. L. Hazelius, D. D. Principal, and Rev. George R.
17 Hudson,.....	Hudson,.....	Columbia,.....	do.....	J. W. Fairfield.
18 Ithaca,.....	Ithaca,.....	Tompkins,.....	do (except April).....	J. L. Hendrick, Principal.
19 Johnston,.....	Johnstown,.....	Montgomery,.....	do.....	Xenophon Haywood.
20 Kingston,.....	Kingston,.....	Ulster,.....	do.....	(Not stated.)
21 Lansingburgh,.....	Lansingburgh,.....	Rensselaer,.....	do.....	Alexander McCall, Principal.
22 Lowville,.....	Lowville,.....	Lewis,.....	do.....	Stephen W. Taylor, Principal.
23 Middlebury,.....	Middlebury,.....	Madison,.....	do.....	Seth Cushing, jun. Principal.
24 Montgomery,.....	Montgomery,.....	Orange,.....	do.....	Peter A. Millspaugh, M. D. a Trustee.
25 North-Salem,.....	North-Salem,.....	Westchester,.....	do (incomplete).....	Rev. Hiram Jeffif, Principal.
26 Oneida,.....	Oneida,.....	Onondaga,.....	do.....	Samuel B. Woodworth, Principal.
27 Oxford,.....	Oxford,.....	Oneida,.....	do.....	William D. Beattie, Principal.
28 Pompey,.....	Pompey,.....	Onondaga,.....	do.....	Andrew Huntington, Principal.
29 Redhook,.....	Redhook,.....	Dutchess,.....	November and December, 1829,.....	Layman Thompson, Principal.
30 Schenectady,.....	Schenectady,.....	Schenectady,.....	The whole year,.....	Daniel Fuller, Principal.
31 St. Lawrence,.....	Potsdam,.....	St. Lawrence,.....	do.....	Ira Pettibone, and Seth C. Sherman, Teachers.
32 Union-Hall,.....	Jamaica,.....	Queens,.....	do.....	Perrott Potter, Instructor.
33 Utica,.....	Utica,.....	Oneida,.....	do.....	D. Prentice, Principal.
34 Washington,.....	Salem,.....	Washington,.....	do.....	William Williams, Principal.
35 Newburgh,.....	Newburgh,.....	Orange,.....	do.....	Nathan Stark, Principal.
36 Seminary of the Oneida and Genesee Conference,.....	Carasovia,.....	Madison,.....	November and December 1829,.....	Augustus W. Smith, A. M. Principal.

Places.

marks.

extending to the Mohawk.
and 250 above the canal at Port Byron.

is.
eters of the Susquehannah from those of the Mohawk.

the canal at Herkimer.

to south-east, the highlands of Chautauque are distant 7 miles.

of the canal at Utica.

face of the river.

of the river
to be from 200 to 300 feet above the canal at Rochester.

canal at Salina.

bove the canal at Salina.

of the canal is 225 feet.
burgh.

ervation 48 feet above the canal.

surface of the river.

JANUARY, 1829.

33

ACADEMIES.	THERMOMETER.								WINDS, (NO. OF DAYS.)								WEATHER, (NO. OF DAYS.)								
	Mean temperature.	Highest degree.	Lowest degree.	Range.	N.	NE.	E.	SE.	S.	SW.	W.	NW.	NE.	East.	South.	West.	SW.	Cloudy.	Rain.	Snow.	Rain and snow.	Rain gage.			
1st half.	24 half.																								
Albany,	19.70	27.24	48	-10	58	9.5	11	1.5	1	6.5	7.5	3.5	8	4.5	13	7.5	23.5	3	5	2	4.56	2.86			
Auburn,	21.21	24.89	48	-5	53	2.5	2.5	5	1	6.5	6.5	8	4.5	4.5	12.5	18.5	2	5	2	4.10	3.15				
Bridge, Washington,	21.26	26.91	49	0	50	2.5	1	1	1	6.5	7.5	10.5	2	12.5	18.5	4	2	3	1	3.75	3.75				
Canandaigua,	22.44	25.75	50	-12	54	1.5	5.5	1	1.5	6.5	7.5	10	3.5	10.5	20.5	2	6	6	6	6	6.33	6.33			
Cherry-Valley,	16.88	22.52	42	1	54	1.5	5.5	1	1.5	6.5	7.5	10	3.5	10.5	20.5	4	4	4	4	4	4.10	4.10			
Clinton,	28.10	31.69	47	1	46	1.5	5	1.5	1.5	6.5	7.5	10	3.5	10.5	20.5	4	4	4	4	4	4.10	4.10			
Cortland,	19.52	23.89	50	-17	61	2	3	4.5	2	4.5	6.5	6.5	2.5	12	19	1	12	1	12	1	2.64	2.64			
Delaware,	20.59	31.51	56	0	56	3.5	5.5	1	4.5	6.5	6.5	2.5	10.5	16.5	14.5	1	1	1	1	1	1	1	1		
Duchess,	25.39	32.79	49	2	47	3.5	7.5	5	1.5	1	6	4	7	14	17	4	3	3	3	3	3	3	3		
Erasmus-Hall,	27.74	27.78	44	-20	64	12.5	1	12.5	1	6.5	10	10	7	11	21	5	1	1	1	1	1	1	1		
Fairfield,	16.12	22.46	49	-4	53	8	5	5	2.5	8	4.5	7.5	6	2.5	11	9.5	21	5	1	1	1	1	1		
Franklin,	18.65	22.46	49	-8	56	.5	3.5	5	5	5	5	5	2.5	8	12.5	16.5	1	4	4	2.10	2.10				
Greenvile,	16.84	26.97	48	-8	56	1.5	1.5	1.5	1.5	9	1.5	1.5	1.5	1.5	10	21	1	6	1	6	1	6	1		
Hamilton,	24.82	26.63	40	-20	60	4	1.5	1.5	1.5	1.5	1.5	1	1	4	7.5	6.5	24.5	1	7	7	7	7	7	7	
Hartwick,	18.46	26.58	59	-12	71	5	16	1	1	1	1	1	1	3.5	1	13	18	4	6	2	3.73	3.73			
Hudson,	20.24	26.87	51	-5	56	16	1	3	1.5	5	5	2	2	1	1	16.5	16.5	1	4	2	1.16	1.16			
Ithaca,	23.23	27.89	48	-2	45	17.5	1	1	1.5	5	5	2	2	1	1	1	1	1	1	1	1	1	1		
Johnstown,	17.25	23.91	45	-11	56	11.5	6.5	8.5	1	1	1	1	2.5	2.5	8.5	3.5	11.5	19.5	1	4	1	4.11	4.11		
Kingsport,	22.86	28.87	54	-5	59	1.1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Lansingburgh,	18.37	25.87	49	-14	62	6.5	2	1.5	1.5	5	4.5	3	3	1	11	14	17	3	1	1	1	1	1		
Lovellville,	13.73	19.80	39	-28	67	1	1	1	1	9.5	2	3	2.5	12	11	20	9	9	9	9	9	9	9		
Middlebury,	22.96	27.09	61	-2	63	7	1	1	1	1	1	1	2.5	4	11	2.5	26.5	4	4	4	4	4	4	4	
Montgomery,	23.42	28.86	58	0	58	7.5	1	1	1	1	10.5	11	11	11	11	12.5	18.5	4	4	4	4.00	4.00			
North-Salem,	26.10	31.81	49	-1	50	3.5	4	1	1	2.5	4	1	1	1	6.5	4	9.5	16	15	5	4	4	4		
Onondaga,	20.20	26.45	47	-6	63	.5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Oxford,	20.98	24.76	46	-15	61	1.5	1	1	1	1	1	1	1	1	1	8.5	16.5	5	5	5	9.5	9.5	5		
Poanay,	17.44	22.74	42	-11	63	.5	1	1	1	1	1	1	1	1	1	5	6.5	5.5	5	8	8	8	8		
Schenectady,	18.38	27.75	53	-9	62	3	5	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
St. Lawrence,	26.41	19.73	49	-8	73	4	6	6	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Union-Hall,	26.28	30.21	49	-2	46	3.5	4.5	1.5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Utica,	17.39	26.04	47	-11	59	11.5	1.5	1.5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Washington,	17.39	24.65	46	-28	74	2	7	7	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Newburgh,	26.64	30.20	63	2	60	8.5	7	7	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		

FEBRUARY, 1829.

34

ACADEMIES.	THERMOMETER.		WEATHER, (NO. OF DAYS.)												Main cases.					
	Mean temperature. 1st half.	2d half.	Highest degree.	Lowest degree.	Range.	North.	East.	South.	West.	N. West.	S. West.	Cloudy.	Rain.	Snow.	Rain and snow.					
Albany,.....	19.38	19.39	42	-5	47	3.5	2.5	.5	4.5	1.5	6.5	9.5	17	11	1	5	1	2.28		
Auburn,.....	20.36	18.17	46	2	44	1	2	7	3	9.5	5.5	7	13	19.5	10.5	1	1	1	1.77	
Cambridge,.....	17.89	17.25	43	-19	62	1	2	6.5	1	10.5	5.5	9.5	18.5	15	1	3	1	2.25		
Canandaigua,.....	20.69	18.54	46.5	0	46.5	1	3	1.5	2	1	10.5	5.5	9.5	18.5	15	2	2	1	2.38	
Cherry Valley,.....	15.94	15.54	41	-15	56	1.5	3	3.5	1	1	10.5	5.5	9.5	18.5	15	2	2	1	3.08	
Clinton,.....	26.60	25.09	43	-1	44	1	1.5	4.5	.5	2.5	9.5	8.5	21	7	1	2	1	4.26		
Cortland,.....	16.98	16.40	50	-15	65	1.5	1.5	6	1.5	8.5	8.5	8.5	21.5	15	1	1	1	2.74		
Delaware,.....	15.15	16.74	46	-16	62	3	.5	.5	1	1.5	4.5	3	11	12.5	12.5	1	1	1	1.74	
Dutchess,.....	23.40	27.33	46	-6	62	.5	4.5	1	1	2.5	4.5	5.5	13.5	18	10	1	3	1	5.64	
Erasmus Hall,.....	26.32	25.55	42	4	38	1.5	5	5	1.5	5	5	5	10.5	18	10	1	4	1	2.46	
Fairfield,.....	16.60	13.71	46	-4	50	1	1.5	7.5	1.5	1.5	5	5	7.5	4	24	1	1	1	1.68	
Franklin,.....	12.27	11.98	49	-14	63	3	.5	3	1.5	6	7	10	8.5	19.5	15	2	2	1	1.68	
Greenville,.....	19.66	18.19	41	-5	46	4	2	1	1.5	1.5	1.5	1	16.5	15.5	12.5	1	4	1	2.44	
Hamilton,.....	19.69	20.71	46	-15	61	3	2	1	1	1.5	9	9	19	19	1	1	1	1	3.06	
Hartwick,.....	21.24	17.26	47	-15	62	1	1	2	6.5	2.5	3.5	12.5	9	19	19	7	7	2.01		
Hudson,.....	19.42	20.31	53	-7	45	17.5	1.5	.5	4.5	1.5	1.5	3	14	14	14	2	1	3.30		
Ithaca,.....	22.63	22.84	50	-4	64	2.5	5	5	2	1.5	7	10	20.5	7.5	3	1	1	0.72		
Johnstown,.....	17.83	18.88	43	-9	52	2.5	7	7	1.5	14.5	14.5	17	11	1	1	1	1	2.51		
Kingston,.....	21.92	21.63	42	-12	54	7	.5	6	1.5	1.5	1.5	1.5	17	11	1	3	1	3.06		
Lansing church,.....	17.43	19.10	39	-17	56	4.5	1.5	6.5	1.5	1.5	2.5	1	12	6.5	14.5	18.5	1	3	1.19	
Lowville,.....	18.33	12.84	46	-19	65	1	1	1	1	1.5	6	4	11	17	13	1	1	1	3.10	
Middlebury,.....	21.26	17.93	70	-4	74	2.5	1	1	1	2.5	5	6	4.5	18.5	18.5	1	4	1	1.48	
Montgomery,.....	22.38	21.54	49	-6	55	12	.5	1.5	1.5	1.5	6.5	6.5	14.5	18.5	1	1	1	3.62		
North-Salem,.....	23.10	22.64	40	-3	43	.5	5	5	1.5	1.5	1.5	1.5	10.5	10.5	10	1	1	1	2.51	
Onderdonk,.....	21.61	23.99	42	-8	50	1	1	1	1	1.5	4.5	6	20.5	10.5	8.5	19.5	1	1	0.61	
Oxford,.....	19.66	18.20	48	-15	63	2	3.5	3.5	1.5	1.5	1.5	1.5	11	11	5	14	1	1	2.46	
Pompey,.....	15.88	17.83	48	0	48	2	1	1	1	1.5	4	4	7.5	7.5	20.5	4	4	1	0.65	
Schenectady,.....	17.82	19.76	39	-8	47	1	3	1	2	1	1	1	16.5	4.5	17.5	2	5	1	3.08	
St. Lawrence,.....	14.22	12.10	36	-20	56	2	1.5	1.5	1.5	1.5	9	5.5	3.5	10	18	4	4	1	1.68	
Union-Hall,.....	22.45	22.92	40	0	40	1.5	1	1.5	1.5	1.5	1.5	1.5	20.5	7.5	1	3	1	3.67		
Utica,.....	17.86	18.39	42	-6	48	1	1	1	1	1	1	1	10.5	17.5	8.5	19.5	1	16	3.00	
Washington,.....	15.72	15.28	42	-22	64	7.5	3	5	1	1	1	1	10.5	4.5	11.5	13	5	1	2.50	
Newburgh,.....	21.72	21.53	42	-3	42	7.5	3	5	1	1	1	1	10.5	3	6.5	20.5	7.5	1	2	2.30

MARCH, 1829.

ACADEMIES.	THERMOMETER.		WINDS, (NO. OF DAYS.)		WEATHER, (NO. OF DAYS.)	
	Mean temperature. 1st half.	2d half.	Highest degree.	Lowest degree.	Rain. Snow.	Rain. Snow.
Albany,.....	33.11	62	13	49	4.5	2.5
Auburn,.....	30.60	62	9	54	1.5	2
Brown,.....	29.41	62	5	55	4.5	2
Cambridge,.....	33.06	65	10	55	4.5	1
Canandaigua,.....	26.28	56	2	55	6.5	1
Cherry-Valley,.....	27.08	57	19	55	1	1
Clinton,.....	32.95	54	2	55	9.5	1
Cortland,.....	29.48	62	-2	68	2.5	2
Dutchess-Hall,.....	27.98	62	-6	67	5.5	1
Dutchess-Hall,.....	36.96	64	16	49	3	1
Erie,.....	36.58	62	19	49	2	1
Fairfield,.....	28.77	58	28	68	4	1
Fairfield,.....	29.48	62	0	68	2	1
Farmington,.....	31.98	65	10	68	5	1
Frederick,.....	30.13	55	12	68	4.5	2
Greenville,.....	29.43	50	17	65	5.5	1
Hamilton,.....	27.39	61	0	61	1	1
Hartwick,.....	29.99	68	0	68	5	1
Hudson,.....	31.52	62	16	68	21	1
Ithaca,.....	32.57	59	12	60	6.5	1
Johnstown,.....	30.07	62	9	68	3	1
Kingston,.....	27.95	64	14	60	6.5	1
Lancaster,.....	30.87	61	8	68	7.5	1
Lovettville,.....	26.38	61	-2	72	1	1
Middlebury,.....	31.15	57	70	1	1	1
Montgomery,.....	34.24	62	11	65	4	1
North-Salem,.....	34.36	65	15	68	1	1
Oncordia,.....	35.05	68	15	68	1	1
Oxford,.....	29.29	68	2	68	4	1
Pompey,.....	29.84	69	-4	67	3	1
Schenectady,.....	27.65	61	6	61	5	1
St. Lawrence,.....	31.36	65	13	68	45	1
Union-Hall,.....	26.83	56	4	62	5	1
Utica,.....	33.88	58	19	62	19	1
Washington,.....	29.54	76	8	60	3	1
Newburgh,.....	34.92	74	12	68	2	1

APRIL, 1829.

ACADEMIES.	WEATHER, (NO. OF DAYS.)												RAIN GAGE.							
	WINDS, (NO. OF DAYS.)						WEATHER, (NO. OF DAYS.)													
	Mean temperature.	Highest degree.	Lowest Range. degree.	North.	East.	South.	West.	SWest.	SEst.	NEst.	SWest.	SEst.	Rain.	Cloudy.	Clear.	Snow.	Rain and snow.			
Albany,.....	48.82	52.38	30	50	2	.5	.5	10.5	3	8	5	17	13	10	1	1	4.77			
Auburn,.....	41.06	47.48	72	29	43	..	..	10.5	2	3.5	4	19	2	1	..	1	1.48		
Cambridge,.....	41.36	49.40	75	27	48	..	..	1.5	7	9	3	9.5	10	20	5	..	4.86		
Canandaigua,.....	42.73	49.91	71	30	41	..	..	1	7	1.5	13.5	6	13.5	16.5	2	..	3.27		
Cherry-Valley,.....	37.31	46.04	71	24	29	..	..	1.5	5	7	13	12.5	17.5	3	1	1	4.66		
Clinton,.....	41.67	47.42	70	29	41	1.5	1.5	6	1.5	8	3	5	21	9	3	..	2.02			
Cortland,.....	37.77	46.34	78	22	56	1.5	1	2	6.5	1	5	7	6	9	21	9	3	1	3.96	
Delaware,.....	37.79	47.35	73	22	51	..	..	9	10.5	4	4.5	5	6.5	14.5	15.5	4	1	1	..
Dutchess,.....	49.02	56.50	84	28	66	6	2.5	1	2	5	3.5	3.5	6	21	9	9	5	1	5.36	
Erasmus-Hall,.....	45.88	61.54	78	34	44	4	3	..	6	..	4	4.5	19	14	16	7	2	..	2.06	
Fairfield,.....	37.22	44.17	65	28	37	..	..	9.5	.5	.5	.5	11	7.5	12	18	7	..	1.39	
Franklin,.....	41.59	47.86	75	28	47	4	..	..	..	..	..	..	..	..	..	..	..	..	..
Fredonia,.....	40.49	46.35	68	25	43	..	..	.5	.5	7	2.5	11	6	18.5	11.5	3	1	1	2.06
Greenville,.....	40.67	48.07	72	28	44	4	3.5	2.5	2	4.5	2.5	2.5	11	18.5	11.5	3	1	1	3.72	
Hamilton,.....	37.85	47.00	72	26	46	..	..	2.5	..	2	10.5	10	14	19.5	6	..	1	3	4.05
Hartwick,.....	39.33	45.16	73	24	49	..	..	..	..	10.5	..	9.5	8	11	19	5	2	..	5.20
Hudson,.....	44.44	52.68	75	35	40	16.5	..	.5	..	..	..	..	1	9.5	20.5	11	..	..	3.80
Ithaca,.....	42.98	49.85	73	28	45	2.5	1	2	1.5	4.5	2	5	3.5	12.5	3	..	..	..	2.04
Johannesburg,.....	39.03	46.87	73	28	45	2	2.5	11	1	1	..	..	4.5	14	16	3	..	1	4.49
Kingston,.....	42.70	52.15	90	28	52	.5	11.5	.5	.5	..	..	..	7	16.5	13.5	4	..	..	4.96
Lansingburgh,.....	41.16	60.70	77	27	50	6	1	..	..	5.5	2.5	2.5	7	13.5	16.5	6	..	..	4.92
Lowville,.....	38.44	47.97	72	24	48	..	..	2	..	7.5	2	4	10	4.5	11.5	9	2	1	2.60
Middlebury,.....	43.15	48.47	78	28	50	5	..	..	..	1.5	19	5	4.5	4	15.5	14.5	3	1	2.63
Binghamton,.....	45.90	49.74	96	30	66	7.5	1	2.5	..	11.5	2.5	5	16	14	4	..	..	5.25	
North-Salem,.....	44.80	53.60	74	33	41	2.5	3	2.5	6	3	2.5	6	6	20	10	6	1	..	..
Onondaga,.....	44.78	54.60	79	32	49	..	..	4	1	13.5	..	..	10	1.5	12.5	4	..	1	1.94
Oxford,.....	39.95	47.67	75	26	49	4.5	3.5	..	..	..	..	..	6.5	12.5	17.5	9	..	1	5.07
Pompey,.....	37.96	45.35	71	25	465	7	10.5	11	1	11.5	18.5	4	2	..	2.26
Schenectady,.....	42.54	50.84	72	30	42	..	.5	..	..	8	1	14	3	13.5	11	2	..	..	4.26
St. Lawrence,.....	40.21	45.26	68	25	43	1	5	..	..	4.5	1	6	6	10.5	19.5	2	3	1	2.22
Union-Hall,.....	43.88	49.38	90	33	47	..	..	5	1.5	3	1	8	5	14.5	12	..	..	..	5.05
Utica,.....	39.01	48.27	77	28	49	..	..	8.5	2.5	2.5	..	..	11	10	12	2	2	..	4.57
Washington, Newburgh,.....	39.86	46.10	78	29	60	6.5	20.5	1	2	10	5.5	17.5	4	1	..	3.53
Albany,.....	50.53	52.92	34	45	4	5.5	..	.5	6.5	2.5	1	3.53

MAY, 1829.

No. 216.

ACADEMIES.	THERMOMETER.		WINDS, (NO. OF DAYS.)						WEATHER, (NO. OF DAYS.)								
	Mean temperature.		Highest degree.	Lowest degree.	Range.	Northeast.	East.	Southeast.	South.	Southwest.	West.	Northwest.	Cloudy.	Rain.	Snow.	Rain and snow.	
	1st half.	2d half.															
Albany,.....	58.32	70.55	92	39	53	2.5	1	5.5	11	2.5	5.5	3.5	24.5	6.5	7	2.68	
Auburn,.....	53.08	66.98	88	35	63	6	.5	1	10.5	5	4	4	23	8	1	1.94	
Cambridge,.....	52.50	66.45	91	32	59	1	2	2.5	10.5	8	1	8.5	18.5	12.5	6	3.77	
Cherry-Valley,.....	52.70	67.67	87	34	53	1.5	2	2.5	10.5	3.5	7	5	22.5	8.5	2	2.60	
Clinton,.....	50.49	66.69	90	30	60	1.5	2	1.5	8	5	11.5	5	19.5	11.5	7	1	3.44
Cortland,.....	49.62	59.99	80	40	40	1	2	3	4.5	10.5	4.5	3	2	19.5	11.5	6	4.98
Delaware,.....	49.29	64.64	94	24	70	4	2	1.5	2.5	5	5.5	8	6	24	7	4	2.21
Dutchess,.....	56.52	72.06	92	28	68	5	5	3.5	1	7	9.5	8	6	22.5	8.5	9	3.98
Erasmus-Hall,.....	53.42	66.54	85	43	42	5	3	4	4.5	8	4.5	1	5.5	22.5	8.5	1	1
Fairfield,.....	41.75	67.39	87	30	57	4	4	2	4.5	19	19	1	5.5	22	9	1	0.04
Franklin,.....	50.96	70.39	96	32	68	6.5	2.5	3.5	3	3.5	7	7.5	20	11	6	2.74	
Fredonia,.....	50.24	68.05	90	34	56	1	1	3	6	11	9	1	21.5	9.5	4	2.70	
Greenville,.....	64.12	65.33	89	38	51	2	3	1.5	7	1.5	.5	5	15	22.5	8.5	4	2.50
Hamilton,.....	50.42	59.85	92	30	62	5	5	1.5	1.5	1.5	13.5	14.5	21	9.5	2	1.65	
Hartwick,.....	50.12	66.04	91	26	65	5	5	.5	1	14.5	1.5	4.5	4	21.5	9.5	4	1.82
Hudson,.....	57.99	72.73	89	41	48	15.5	2	2	8.5	1.5	2.5	12	24	7	5	1.69	
Ithaca,.....	58.95	72.97	89	39	50	3.5	7	4	3	6	1	6.5	22.5	8.5	4	2.55	
Johnstown,.....	55.75	68.77	89	31	58	3.5	2.5	1.5	1.5	4	12	2	23	8	6	2.63	
Lansingburgh,.....	55.39	69.99	96	34	62	.5	3	8	3.5	1.5	13	6	6.5	21.5	9.5	3	2.44
Lowville,.....	56.32	69.78	93	37	56	6	1	2	12.5	2	6	1.5	23	8	4	3.86	
Middlebury,.....	52.46	64.54	91	23	63	1	3	4	1	6	5.5	6	12	24	7	2	1.88
Montgomery,.....	51.04	67.44	94	29	65	3	3	4	1	1	5	10	21	10	4	3.50	
North-Salem,.....	56.99	70.35	97	36	61	3.5	2	2	21.5	5	1.5	1.5	22.5	8.5	3	1.25	
Onondaga,.....	58.52	69.44	91	40	51	4	4	2.5	1.5	4.5	7.5	6.5	2.5	3	19.5	8	1.39
Oxford,.....	50.84	66.46	89	31	53	4	3.5	1.5	1	8	8	4.5	2.5	10	6.5	3	1.99
Pompey,.....	50.54	65.23	83	23	52	.5	1	1	1.5	4.5	11	7.5	6	22.5	8.5	4	1.85
Schenectady,.....	54.07	68.66	91	33	58	.5	1	3	7	1.5	13	5	22.5	8.5	6	1	2.63
St. Lawrence,.....	52.09	65.65	84	34	50	.5	6.5	5	5	4	16	1	2.5	20.5	10.5	3	1
Union-Hall,.....	51.43	64.12	87	33	49	5	5	6.5	5	5	13	6	20.5	10.5	10	3.55	
Utica,.....	53.77	66.38	86	36	50	4	4	4	4	10	13	4	24	7	5	0.35	
Washington,.....	51.03	64.43	87	30	57	6	6	4	4	4	24	7	5	1	2.06		
Newburg,.....	53.94	67.34	90	36	64	3.5	2.5	2.5	2.5	2.5	15	3	23	8	5		

JUNE, 1829.

ACADEMIES.	WEATHER, (NO. OF DAYS.)																
	WINDS, (NO. OF DAYS.)		N. East.		S. East.		N. West.		S. West.								
Mean temperature.	Highest degree.	Lowest degree.	Range.	N. half.	S. half.	East.	South.	West.	North.	Cloudy.	Rain.	Snow.	Rain and snow.	Maine.			
70.30	65.95	87	54	33	2	1	3	12.5	6	2.5	21.5	8.5	11	3.90			
Auburn,	68.88	62.70	91	51	40	6.5	1.5	6	2.5	2	10	22.5	6.5	4	3.65		
Cambridge,	67.79	63.54	89	46	43	2.5	.....	6	4	7	17.5	12.5	6	.....	4.97	
Canandaigua,	67.90	63.48	90	50	40	2	.....	1	9.5	7	20	10	4	.....	1.47	
Cherry-Valley,	67.64	61.86	91	42	49	2	2	3.5	4	4	11.5	8	18	12	3.91		
Clinton,	61.35	62.65	81	50	31	4.5	2	4.5	3.5	6	6.5	21.5	8.5	3	1.87		
Cortland,	65.55	59.24	94	40	64	4.5	5	2	6	2.5	8	6.5	16	14	6		
Delaware,	64.80	59.53	91	32	59	.....	.....	.....	11.5	6	12.5	21.5	8.5	5	3.02	
Dutchess,	71.51	69.08	90	45	42	8.5	1	3.5	2.5	2	2.5	22.5	7.5	4	.....	
Erasmus-Hall,	66.75	66.16	85	64	31	2	2.5	1	7.5	5.5	3	1.5	7	21	9	9	
Fairfield,	69.72	64.48	85	55	30	5	6.5	6	2.5	2	8.5	8	17.5	12.5	7	3.08	
Franklin,	68.74	61.51	95	42	53	5	5	5	2	2	4.5	12.5	18.5	11.5	8	2.61	
Frederica,	70.22	63.79	89	50	39	1	1.5	1.5	3.5	7	5.5	9	20.5	9.5	5	2.21	
Greenville,	69.33	65.83	86	54	32	1.5	2	5	7	1.5	2.5	13.5	19.5	13	1.89		
Hamilton,	66.09	59.76	93	40	53	4	.....	1	10.5	1	13	20.5	9.5	1	3.45	
Hartwick,	66.44	60.77	57	38	49	.....	.....	1	10.5	2	20	10	5	.....	4.54	
Hudson,	73.26	70.08	57	33	29	14.5	.....	1	9.5	2	2.5	5	14	16	10	3.16
Ithaca,	74.58	70.45	90	62	38	2	3.5	2.5	4	4	4	9.5	22.5	7.5	6	3.41	
Johnstown,	67.66	61.87	89	45	44	.....	1.5	7.5	3.5	1.5	13	3	21.5	8.5	5	3.84
Kingston,	68.19	67.66	88	48	40	5	1	2.5	4	5	10	7	20	10	7	2.89	
Lansingburgh,	71.84	67.26	91	54	37	6	1	3	10	1	6	4	21	9	9	3.48	
Lowville,	67.06	61.28	92	38	54	1.5	.....	8.5	5	5	3	11	21.5	8.5	8	3.44
Middlebury,	67.66	61.54	92	40	52	2.5	1	.....	1	14	5.5	6	16	14	5	3.15
Montgomery,	68.38	65.21	97	42	55	2.5	5	2	6	22	7	3	10	24	6	2.73	
North-Salem,	69.76	68.26	82	25	1.5	1.5	5	6	2.5	1.5	7	3	10	21.5	8.5	5	
Onondaga,	68.64	62.82	91	45	46	1.5	5	1.5	8	5	7.5	10.5	20	10	7	4.46	
Oxford,	67.00	61.42	98	41	57	1	2.5	1	2.5	1	2.5	10.5	9	19.5	10.5	2	3.60
Pompey,	67.30	68.55	88	48	40	5	2	4.5	4	3.5	7	11	1.5	2.5	8.5	6	5.02
Schenectady,	70.01	65.59	88	47	45	1.5	7.5	6.5	1	5	8	6	19.5	10.5	7	2.19	
St. Lawrence,	66.65	60.48	89	44	45	1.5	3.5	1.5	5.5	1	5.5	8	19.5	10.5	7	4.91	
Union-Hall,	65.56	65.57	88	53	30	.....	8	2	4.5	1.5	7	23	7	5	1.45	
Utica,	62.49	62.17	86	50	36	.....	2.5	7.5	1.5	6.5	14.5	3	21	9	4	3.40
Washington,	66.39	62.91	87	44	43	9.5	1	16.5	1	3	17	13	5	4	20.5	9.5	
Newburg,	67.40	64.70	.....	40	3.5	1	.....	16.5	1	16.5	40	40	4	4	3.60	

JULY, 1899.

ACADEMIES.	THERMOMETER.												WEATHER, (NO. OF DAYS.)															
	Mean temperature.		Highest degree.		Lowest degree.		Range.		N. West.		S. West.		East.		West.		Cloudy.		Rain.		Snow.		Rain and snow.		Main page.			
1st half	2d half																											
Albany.....	68.54	70.59	86	61	35	40	35	51	1	1	4	10	8	1.5	9.5	18.5	12.5	11	3.22	4.07	2.50	3.03	2.96	1.88	2.40	2.35		
Auburn.....	65.59	69.00	86	51	31	40	35	51	1	1	5	7	8.5	2.5	17.5	13.5	6	10	3	4.07	2.50	3.03	2.96	1.88	2.35	2.35	2.35	
Cambridge,.....	66.35	68.51	88	51	32	40	35	51	1	1	6	9	15.5	12.5	2.5	19.5	11.5	6	11	3	4.07	2.50	3.03	2.96	1.88	2.35	2.35	2.35
Canada Falls,.....	63.04	65.34	85	51	32	40	35	51	1	1	6	9	15.5	12.5	2.5	19.5	11.5	6	11	3	4.07	2.50	3.03	2.96	1.88	2.35	2.35	2.35
Cherry Valley,.....	63.16	67.52	81	51	32	40	35	51	2	2	5	6.5	4.5	9.5	3	25	8	3	2.35	2.35	2.35	2.35	2.35	2.35	2.35	2.35		
Clinton.....	63.55	67.52	81	51	32	40	35	51	1	1	5	6.5	4.5	9.5	3	25	8	3	2.35	2.35	2.35	2.35	2.35	2.35	2.35	2.35		
Darke,.....	61.83	65.85	88	51	32	40	35	51	1	1	5	6.5	4.5	9.5	3	25	8	3	2.35	2.35	2.35	2.35	2.35	2.35	2.35	2.35		
Dekalb,.....	63.61	65.89	89	51	32	40	35	51	1	1	5	6.5	4.5	9.5	3	25	8	3	2.35	2.35	2.35	2.35	2.35	2.35	2.35	2.35		
Dutchess,.....	71.32	76.26	90	57	32	40	35	51	3	3	5	1.5	8.5	9	1	4	21.5	9.5	5	5	5	5	5	5	5			
Erieau Hall,.....	67.29	71.95	86	45	35	41	34	45	42	2	3	5	1.5	5.5	12.5	2	2.5	21.5	9.5	5	5	5	5	5	5	5		
Fairfield,.....	66.36	71.76	86	45	35	41	34	45	42	2	3	5	1.5	5.5	12.5	2	2.5	21.5	9.5	5	5	5	5	5	5	5		
Franklin,.....	63.67	68.46	86	36	30	35	30	35	36	2	3	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Frederick,.....	66.62	68.99	86	36	30	35	30	35	36	2	3	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Greenville, (27 days).....	65.87	70.59	87	57	37	44	31	44	44	2	3	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Hanover,.....	60.61	67.21	86	55	36	40	34	45	40	2	3	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Hartwick,.....	63.68	67.14	86	55	36	40	34	45	40	2	3	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Hudson,.....	65.18	72.98	86	50	36	45	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Ithaca,.....	69.97	72.89	88	51	37	44	31	45	41	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Johstown,.....	63.79	68.18	88	49	32	40	35	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Kingston,.....	67.89	70.52	92	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Lancaster,.....	67.96	71.19	88	52	35	42	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Lowville,.....	64.71	65.83	88	52	35	42	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Middlebury,.....	64.81	67.11	87	52	35	42	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Montgomery,.....	67.96	71.96	92	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
North-Salem,.....	70.30	74.84	84	42	35	42	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Onondaga,.....	65.48	68.84	87	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Orford,.....	64.85	68.73	88	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Pompey,.....	62.46	67.15	88	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Schenectady,.....	68.01	68.29	88	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
St. Lawrence,.....	68.91	67.88	88	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Union-Hall,.....	66.30	71.52	82	32	20	30	20	32	20	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Utica,.....	64.39	67.36	88	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Washington,.....	66.38	68.02	88	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	
Newburgh,.....	66.96	72.49	88	52	40	47	34	45	40	1	1	5	1.5	5	10.5	8	17.5	13.5	7	13.5	7	13.5	7	13.5	7	13.5	7	

AUGUST, 1829.

ACADEMIES.	THERMOMETER.		WINDS, (NO. OF DAYS.)												WEATHER, (NO. OF DAYS.)							
	Mean temperature. 1st half.	2d half.	Highest degree.	Lowest degree.	Range.	N. North.	E. East.	S. South.	W. West.	N. West.	S. East.	Cloudy.	Rain.	Snow.	Main and snow.	Rain.	Snow.	Main and snow.	Rain.	Snow.		
Albany,	71.27	66.98	89	46	43	.5	1	3.5	12.5	2	6	5.5	21.5	9.5	5	1.46	.....	.....	.....	.....
Auburn,	68.70	65.62	88	47	41	13.5	1	.5	3.5	5	5	2.5	26	5	2	3.46	.....	.....	.....	.....
Cambridge,	69.00	63.47	88	42	46	3.5	.....	9.5	9	5.5	3.5	25	6	3	0.91	.....	.....	.....	.....
Canandaigua,	69.12	66.74	86	50	36	1	1	3	19	4	26.5	4.5	1	.....	.....	.....	1.94	.....	.....	.....
Cherry-Valley,	67.11	63.16	89	57	52	.5	1	.5	5.5	17	5	24	7	4	2.08	.....	.....	.....	.....
Clinton,	70.04	66.38	81	47	34	.5	4	5	5	2.5	1.5	25	6	2	2.39	.....	.....	.....	.....
Cortland,	65.64	60.77	91	58	53	2.5	1	1	10	14.5	2	16.5	14.5	2	14.5	.....	.....	.....	.....
Dutchess,	74.78	71.06	91	50	41	7	1.5	1.5	7.5	8.5	.5	6	21.5	2.5	2	6	3	3	9.5			
Erasmus-Hall,	72.95	68.35	87	56	31	3	4	2	17	1	2	20	11	3	9	4.84	.....	.....	.....	.....
Fairfield,	66.36	65.65	84	42	42	.5	7.5	1	7.5	16.5	4.5	4.5	20	11	3	1.92	.....	.....	.....	.....
Franklin,	70.66	68.59	93	43	50	2.5	.5	2	6.5	6.5	6.5	13	24	7	6	2.20	.....	.....	.....	.....
Fredonia,	68.81	67.86	86	54	31	3	.5	.5	3.5	15.5	5	3.5	27	4	1	1.40	.....	.....	.....	.....
Greenville,	72.31	66.40	91	52	39	1	2.5	1	11.5	2	1	13	23	8	2	0.90	.....	.....	.....	.....
Hamilton,	65.68	63.75	90	38	52	3.5	1	3.5	9.5	10.5	1	4	22.5	8.5	5	1.67	.....	.....	.....	.....
Hartwick,	67.18	63.42	86	38	48	12	1	1.5	15	2	8.5	18	13	3	2.60	.....	.....	.....	.....
Hudson,	71.22	71.23	93	65	38	12	.5	1.5	15	1.5	2	20	10.5	4	.....	1.41	.....	.....	.....	.....
Ithaca,	73.25	70.74	96	50	46	2	2	1.5	2	2.5	7.5	9.5	26	5	3	1.94	.....	.....	.....	.....
Johnstown,	67.16	63.32	57	40	47	.5	4.5	1	4.5	8	4	8.5	26	5	5	1.68	.....	.....	.....	.....
Kingston,	71.93	68.02	92	45	47	.5	9.5	2	1.5	13	5	5	25.5	5.5	5	1.68	.....	.....	.....	.....
Lansingburgh,	72.52	68.09	93	47	46	5.5	.5	.5	12	1.5	8.5	2.5	22.5	8.5	5	1.61	.....	.....	.....	.....
Lewiston,	66.46	62.72	92	36	56	6	2.5	2	2.5	3.5	4	10	5	24	7	4	1.91	
Middlebury,	67.01	65.51	92	36	56	2.5	2	2	2.5	3.5	3.5	3.5	24	7	3	1.32	.....	.....	.....	.....
Montgomery,	73.98	62.29	94	45	61	24	1	3	6	21	.....	.....	24	6.5	5	2.08	.....	.....	.....	.....
North-Salem,	74.83	70.15	85	45	49	1	3	1	7	2.5	7.5	3	6	24.5	6	2	2.30	
Ovid,	70.79	66.64	89	44	44	2	2	1.5	1.5	1.5	1	12	7.5	4	24.5	6.5	3	3.84
Pompey,	69.05	64.94	93	43	50	4	1.5	.5	.5	1	1.5	12	8	3	2.46	.....	.....	.....	.....	2.46
Schenectady,	67.63	63.80	86	46	40	2	1.5	1	2.5	14	1.5	1.5	24	7	3	1.67	.....	.....	.....	.....
St. Lawrence,	70.00	66.46	88	47	41	1.5	1	3	7	1	2.5	13.5	2.5	1	1.36	.....	.....	.....	.....	1.36
Union-Hall,	67.31	64.72	84	37	37	1	1	1	1	1	1	18	17.5	2	2	4.30	.....	.....	.....	.....
Utica,	72.30	67.65	90	52	58	8.5	1	1	1	1.5	1.5	1.5	21.5	7.5	2	2.11	.....	.....	.....	.....
Washington,	66.69	62.88	84	45	49	7	1.5	1.5	1.5	1.5	1.5	1.5	22	9	2	2.11	.....	.....	.....	.....
Newburgh,	68.08	65.45	89	41	42	6	1.5	.5	.5	1.5	1.5	1.5	22	9	2	2.00	.....	.....	.....	.....
Newport,	72.05	68.28	85	55	53	18.5	1	1.5	1.5	1.5	1.5	1.5	26	5	2	2.00	.....	.....	.....	.....

SEPTEMBER, 1829.

ACADEMIES.	THERMOMETER.		Highest degree. Lowest degree.	Range.	WINDS. (NO. OF DAYS.)		WEATHER. (NO. OF DAYS.)	RAIN. CLOUDS.
	1st half.	2d half.			N. West.	S. West.	East.	West.
Albany,	55.34	55.84	84	32	12	5	6.5	2.73
Auburn,	55.74	55.28	84	32	1	5	4.5	4.36
Cambridge,	55.55	52.41	84	32	5	5	4.5	3.20
Canandaigua,	55.46	52.86	84	32	5	5	4.5	3.54
Cazenovia,	54.57	52.86	84	32	5	5	4.5	4.36
Cherry Valley,	55.38	55.54	84	32	1	5	4.5	2.70
Clinton,	51.43	51.43	84	32	5	5	4.5	3.54
Corinth,	51.43	51.43	84	32	5	5	4.5	3.54
Dalhart,	55.32	59.88	84	32	1	5	4.5	3.16
Danvers,	55.32	59.16	84	32	5	5	4.5	4.36
Danvers-Hall,	51.34	49.49	84	32	5	5	4.5	2.50
Dobiefield,	52.35	52.18	84	32	5	5	4.5	3.90
Franklin,	52.32	57.85	84	32	1	5	4.5	3.54
Fredonia,	54.19	51.92	84	32	5	5	4.5	3.54
Greenville,	54.19	52.84	84	32	5	5	4.5	3.54
Hanover,	52.35	55.45	84	32	5	5	4.5	3.54
Herkimer,	52.32	57.57	84	32	5	5	4.5	3.54
Ithaca,	52.32	52.32	84	32	5	5	4.5	1.91
Johnstown,	52.32	52.32	84	32	5	5	4.5	3.54
Kingsport,	52.32	52.32	84	32	5	5	4.5	2.12
Lorrain,	52.32	52.32	84	32	5	5	4.5	2.50
Middlebury,	52.32	52.32	84	32	5	5	4.5	1.91
Montgomery,	52.32	52.32	84	32	5	5	4.5	3.54
North Salem,	52.32	52.32	84	32	5	5	4.5	2.69
Ossage,	52.32	52.32	84	32	5	5	4.5	4.36
Oriskany,	52.32	52.32	84	32	5	5	4.5	2.50
Pompey,	52.32	52.32	84	32	5	5	4.5	3.71
Schenectady,	52.32	52.32	84	32	5	5	4.5	3.20
St. Lawrence,	52.32	52.32	84	32	5	5	4.5	4.96
Utica,	52.32	52.32	84	32	5	5	4.5	3.40
Waddington,	52.32	52.32	84	32	5	5	4.5	3.40
Newburgh,	52.32	52.32	84	32	5	5	4.5	3.40

[No. 216.]

OCTOBER, 1829.

ACADEMIES.	WEATHER, (NO. OF DAYS.)																		
	THERMOMETER.		WINDS, (NO. OF DAYS.)		WEATHER, (NO. OF DAYS.)														
	Mean temperature. 1st half.	2d half.	Highest degree.	Lowest degree.	N.	East.	West.	S. West.	S. East.	Cloudy.	Rain.	Snow.	Barom.	Wind.	Barom.	Snow.	Barom.	Wind.	Barom.	Snow.
Albany.....	52.33	50.22	73	26	47	1.5	.5	9.5	7.5	5	7	21	10	5	...	...	...	...	...
Auburn.....	50.68	50.14	72	31	41	1.5	1	15	12.5	3.5	2.5	1.5	12.5	4	...	...	...	...	2.41
Cambridge.....	48.18	48.20	72	18	54	2	1	1.5	12.5	5.5	2.5	6	19.5	11.5	4	...	...	...	2.70
Canandaigua.....	46.86	49.68	74	30	44	...	...	2	4	6	9.5	19.5	9.5	11.5	3	...	...	...	3.03
Cherry-Valley.....	47.82	46.50	69	17	52	...	2	5	7.5	4	7.5	4.5	19	12	3	...	...	...	2.16
Clinton.....	62.30	48.31	67	73	14	1.5	4	8	4.5	1	3	2.5	22.5	8.5	3	...	...	...	3.26
Cortland.....	45.62	46.00	73	14	59	1	2.5	1	12.5	10.5	2.5	14.5	16.5	7	1	1	...	4.82	
Dewarre.....	48.84	46.60	82	14	68	2	1.5	1.5	.5	9.5	9.5	6	18	13	5	...	...	...	3.36
Dutchess.....	54.42	57.49	78	26	52	1.5	2	2	2.5	11.5	1	9	23	8	4	...	...	...	4.41
Elmira-Hall.....	63.29	50.89	70	84	36	.5	6.5	.5	4	6	1.5	10	18.5	12.5	6	...	...	...	1.20
Fairfield.....	50.03	37.01	60	24	36	.5	1	7.5	1.5	1	1	11.5	7	15.5	8	1	...	...	1.65
Franklin.....	49.41	47.23	71	21	50	4.5	1	4	8	3	4	6	19.5	11.5	9	...	...	...	1.80
Fredonia.....	54.39	62.86	75	35	40	1	...	3.5	11	6	4	6	15.5	15.5	6	...	...	...	2.98
Greenville.....	50.54	47.30	71	21	50	2	2.5	...	12.5	2	...	5	13.5	21	10	4	...	...	1
Hamilton.....	47.21	49.11	75	19	56	3	1.5	...	11	7.5	...	8	21	5	9.5	...	...	1	
Hawick.....	49.31	48.00	76	18	58	2	...	...	15.5	1	3	...	9.5	20	11	5	...	...	1.56
Hudson.....	63.18	49.00	70	27	43	11.5	1	2.5	...	12.5	1	3	...	19.5	11.5	4	...	...	3.26
Ithaca.....	52.57	70	29	45	1.5	2	4.5	10	4.5	10	4.5	4.5	8.5	24.5	6.5	4	...	...	2.76
Johnstown.....	50.50	53.88	69	27	42	5	5	7.5	5.5	1	8.5	...	19.5	11.5	4	...	...	...	8.10
Kingston.....	53.35	50.49	72	24	48	...	5.5	2.5	3.5	12	...	5	21	10	4	...	...	...	8.82
Lansingburgh.....	51.74	49.82	74	20	54	4	1	...	13.5	1.5	6.5	4.5	20	11	5	...	...	...	2.75
Lowellville.....	49.95	46.12	72	23	49	2	1.5	.5	7	5	5	3.5	6.5	6.5	19	11.5	5	1	
Middlebury.....	52.26	49.48	80	19	61	2	2.5	1	20.5	1.5	6	2.5	6	18	13	3	...	...	2.22
Montgomery.....	51.69	49.48	77	17	60	3	...	4.5	2	3.5	4.5	4	6	22.5	8	3	...	...	1.80
North-Salem.....	56.83	53.09	73	33	22	51	1.5	4	12	1	6	6	16.5	14.5	9	...	...	...	2.16
Onondaga.....	51.15	52.77	73	22	51	1.5	...	...	...	...	...	...	6.5	16.5	14.5	9	...	...	3.41
Oxford.....	46.91	48.36	68	19	49	1	3	...	5.5	5.5	9.5	2	17.5	13.5	5	1	...	...	3.12
Pompey.....	47.35	45.06	65	24	41	...	...	...	6.5	8	8.5	5	18	13	6	...	...	...	2.09
Schenectady.....	50.65	50.19	73	24	49	...	1	5	14	...	14.5	1	22.5	8	5	...	...	...	2.09
St. Lawrence.....	50.54	47.64	69	20	49	...	3.5	1	4.5	18	...	5	14.5	16.5	4	...	...	...	4.86
Union-Hall.....	51.99	49.46	73	23	46	7	1	3.5	1	10	...	5	8	21	10	3	...	...	2.88
Utica.....	47.90	47.72	74	23	51	...	9.5	4	1	17	...	5	20	11	5	2	...	...	3.60
Washington.....	48.04	43.21	70	24	46	8	1	...	...	...	...	4	20	11	5	10	...	...	2.52
Newburgh.....	56.22	50.75	66	24	50	2	12	...	...	...	...	...	2.5	8.5	8.5	10	...	...	3.60

NOVEMBER, 1820.

ACADEMIES.	THERMOMETERS.		WEATHERS, (No. of Days.)		RAIN. GAGE.
	Mean Temperature. 1st half.	2d half.	Highest degree.	Lowest degree.	
Albany, A.	52.22	55.06	55.19	44.25	1.5
Auburn.	57.45	55.10	57.31	55.38	1.5
Cambridge,	57.50	55.00	57.59	55.44	1.5
Canandaigua,	52.02	53.02	50.49	52.07	1.5
Cherry Valley,	56.05	49.76	52.17	51.17	1.5
Clinton,	54.88	53.44	54.91	52.87	1.5
Cortland,	52.02	52.02	52.19	51.90	1.5
Delaware,	49.95	49.95	50.91	50.87	1.5
Datesbury,	45.92	48.44	45.12	48.35	1.5
Eraun-Hall,	51.50	52.44	51.50	52.43	1.5
Franklin,	57.12	56.92	57.12	56.92	1.5
Fredonia,	56.30	52.01	56.30	52.01	1.5
Greeenville,	55.12	53.04	55.12	53.04	1.5
Hanover,	57.06	56.77	57.06	56.77	1.5
Hartwick,	50.77	57.68	57.77	57.68	1.5
Hudson,	41.86	45.45	41.86	45.45	1.5
Ilion,	52.30	52.30	52.30	52.30	1.5
Johnstown,	57.32	59.79	57.32	59.79	1.5
Kingston,	52.30	52.30	52.30	52.30	1.5
Lancaster, ² ,	51.07	51.07	51.07	51.07	1.5
Loverville,	56.64	54.16	56.64	54.16	1.5
Middlebury,	49.69	52.24	49.69	52.24	1.5
Montgomery,	52.32	58.49	52.32	58.49	1.5
North-Salem,	55.32	53.17	55.32	53.17	1.5
Olcottage,	57.55	53.30	57.55	53.30	1.5
Orford,	55.32	58.33	55.32	58.33	1.5
Pawling,	57.77	58.33	57.77	58.33	1.5
Redhook, (15 days)	57.32	54.64	57.32	54.64	1.5
St. Lawrence,	54.64	53.50	54.64	53.50	1.5
Ulster-Hall,	41.36	43.46	41.36	43.46	1.5
Utica,	56.33	53.45	56.33	53.45	1.5
Washington, Newburgh,	54.92	54.06	54.92	54.06	1.5
Cazenovia,	52.11	37.62	52.11	37.62	1.5

... DECEMBER, 1829.

ACADEMIES.	THERMOMETER.		WEATHER, (NO. OF DAYS.)											
	Mean temperature. 1st half.	2d half.	WINDS, (NO. OF DAYS.)		RAIN CLOUDS.		SNOW.		RAIN AND SNOW.		CLOUDS.			
		Highest degree. Range.	Lowest degree. Range.	N.	East.	S.	West.	N.	West.	S.	West.	N.	East.	
Albany,	36.41	36.50	59	13	46	5	5	12	8.5	5.5	9.5	15.5	8	3
Auburn,	37.26	38.57	63	12	51	6.5	.....	5	8.5	3.5	2.5	14	17	3
Cambridge,	36.51	36.66	60	9	47	8	5	5	6.5	11.5	6	9.5	21.5	1
Canandaigua,	36.55	35.76	61	14	47	2	6	2.5	7.5	4	13	12	2	1
Cherry-Valley,	46.42	33.71	57	8	49	1	6	3.5	4	3	5.5	8	12.5	4
Clinton,	41.79	40.26	58	18	40	1	1	1	1	10	1.5	6	12.5	4
Cortland,	34.27	32.84	64	0	64	1	1	2	2.5	11	2	15	4	5
Delaware,	35.93	34.36	59	3	56	2	2	2	15	7.5	1	12.5	9	5
Dutchess,	39.42	38.24	68	12	66	4.5	2.5	4	8	3.5	1	7.5	17.5	5
Erasmus-Hall,	42.73	41.41	64	20	44	2.5	6.5	2	6	2.5	6	10.5	12.5	2
Fairfield,	36.53	26.95	59	12	38	.....	6.5	1.5	9	12.5	10	21	5	5
Franklin,	34.19	35.19	60	8	52	6	1.5	1.5	3.5	8.5	8	18.5	12.5	3
Fredonia, (28 days.)	38.69	38.69	.....	.....	5.5	2	2	3.5	12	7	1.5	12.5	2	3
Greenville,	36.76	36.79	54	9	45	.....	2	5	8.5	1	1.5	12.5	2	2
Hamilton,	33.46	33.22	56	5	53	5	5	5	12	9	1.5	9.5	21.5	4
Hartwick, (23 days.)	37.43	36.37	58	5	53	14	2.5	10	12.5	9	6	3	7.5	1
Budson,	36.37	36.99	67	13	64	14	2.5	4	10.5	1.5	1.5	5.5	17	5
Ithaca,	40.53	37.84	66	16	50	2	3.5	8	1	2	14	1.5	17	2
Johnstown,	37.36	37.31	54	15	39	.....	3.5	1	5	5.5	10	21	2	1
Kingston,	36.08	37.87	64	14	60	5	4.5	1	5	5.5	10	16.5	14.5	3
Lansingburgh,	36.36	36.33	56	10	46	8	2.5	5	9	9.5	3	8.5	2	4
Middlebury,	32.56	32.13	56	2	54	2.5	.....	5	9	1.5	4.5	6	6.5	13
Montgomery,	37.92	37.22	65	1	64	2	3	5	.5	13.5	21.5	1	2	1
North-Salem,	39.13	37.77	60	14	46	4	4	6	.5	2	2	10	21	3
Ondondaga,	38.03	35.92	64	15	49	4	6	.5	1	11	1.5	8	17.5	4
Oxford,	34.93	33.63	65	4	61	8	5	2	2	2	11	1.5	11	20
Pompey,	31.98	31.77	60	3	57	.5	2	1	2.5	6	11	2.5	16	2
Redhook,	37.33	35.52	57	12	45	9.5	2	2.5	1.5	11.5	12	5	17	1
Schenectady,	35.20	35.13	57	9	48	2	2.5	.5	5	3.5	14.5	17	4	2
St. Lawrence,	32.79	31.44	59	1	68	1.5	2.5	.5	6.5	7.5	4.5	8.5	11.5	3
Union-Hall,	40.61	39.67	67	20	47	.....	8	4.5	1.5	6.5	10	14.5	4	1
Utica,	33.93	33.25	51	7	44	.....	11.5	1	6.5	11.5	14	17	4	3
Washington,	33.03	34.27	56	8	48	1	8	1	19	3	13.5	18	2	2
Newburgh,	38.64	37.10	69	14	65	4.5	4.5	1	1	1.5	8	4	7.5	9
Cazenovia,	35.37	32.73	58	2	58	4	2.5	4	8	4	8	7.5	9	22

RECAPITULATION & RESULTS, NO. 1.

MEAN TEMPERATURE OF EACH MONTH.

ACADEMIES. •

[No. 216.]

	January	February	March	April	May	June	July	August	September	October	November	December	Annual mean.	Highest degree during the year.	Lowest degree during the year.	Range of the year.	Average range.	Greatest monthly range.	Coldest day in the year.	Warmest day in the year.
Albany, ...	23.47	19.96	22.92	26.27	30.57	34.27	36.05	36.61	37.04	37.04	37.04	37.04	51.37	89.19	86.45	42.36	92	-10	103	58
Auburn, ...	23.05	19.15	21.67	26.05	30.05	34.47	36.88	37.16	37.16	37.16	37.16	37.16	50.35	86.50	82.06	45.88	91	-5	96	64
Binghamton, Washington, ...	22.98	19.61	21.87	26.61	30.61	35.61	38.73	39.61	40.29	40.29	40.29	40.29	50.35	86.50	82.06	45.88	91	-5	116	74
Canandaigua, ...	24.09	19.18	21.52	26.18	30.71	35.93	38.62	39.49	40.49	40.49	40.49	40.49	50.23	86.15	82.06	45.88	91	-5	105	60
Cherry Valley, ...	19.70	15.74	20.65	24.16	27.71	31.67	35.59	36.18	36.18	36.18	36.18	36.18	47.00	84.04	80.06	44.38	91	-15	105	60
Clinton, ...	28.39	25.84	28.14	34.42	34.85	32.19	36.88	36.88	36.88	36.88	36.88	36.88	50.35	82.95	81.94	41.06	49.14	-1	85	46
Cortland, ...	22.68	18.89	22.77	27.89	31.71	35.97	39.61	40.59	40.59	40.59	40.59	40.59	50.35	86.15	82.06	45.88	91	-17	114	64
Delaware, ...	22.24	15.84	20.37	26.07	32.75	36.98	41.75	46.98	50.75	50.75	50.75	50.75	50.75	86.14	82.06	45.88	91	-17	113	68
Dutchess County, ...	28.45	25.46	26.65	30.85	32.75	36.42	39.75	40.75	40.75	40.75	40.75	40.75	50.35	82.95	81.94	41.06	49.14	-6	100	60
Erie Academy, ...	30.26	26.39	26.39	30.26	30.26	30.26	36.45	36.45	36.45	36.45	36.45	36.45	50.35	86.07	80.06	45.88	57	-4	88	53
Fairfield, ...	21.86	15.01	20.51	26.51	30.51	34.85	38.63	41.70	46.00	46.00	46.00	46.00	50.35	82.95	81.94	41.06	49.14	-20	107	64
Franklin, ...	20.56	12.12	20.57	24.37	30.37	36.67	36.12	36.06	37.00	37.00	37.00	37.00	50.35	82.95	81.94	41.06	49.14	-14	110	68
Frederick, ...	20.90	18.72	20.26	24.45	28.52	32.45	35.88	37.88	38.38	38.38	38.38	38.38	50.35	82.95	81.94	41.06	49.14	-1	85	46
Greenbush, ...	26.13	20.20	23.41	28.41	32.41	34.42	38.63	38.63	38.63	38.63	38.63	38.63	50.35	82.95	81.94	41.06	49.14	-17	113	68
Hamilton, ...	23.52	19.19	25.20	30.20	34.20	38.05	42.05	46.05	50.05	50.05	50.05	50.05	50.35	82.95	81.94	41.06	49.14	-15	105	60
Hartwick, ...	23.55	19.19	25.20	30.20	34.20	38.05	42.05	46.05	50.05	50.05	50.05	50.05	50.35	82.95	81.94	41.06	49.14	-7	100	64
Hudson, ...	26.56	22.73	25.73	29.39	32.39	36.56	38.71	39.58	40.58	40.58	40.58	40.58	50.35	82.95	81.94	41.06	49.14	-11	100	64
Ithaca, ...	20.90	18.72	21.77	26.71	31.71	35.98	39.75	43.98	47.98	47.98	47.98	47.98	50.35	82.95	81.94	41.06	49.14	-11	100	64
Johnstown, ...	26.95	21.21	27.21	30.71	35.71	39.71	43.98	47.98	47.98	47.98	47.98	47.98	50.35	82.95	81.94	41.06	49.14	-11	100	64
Kingston, ...	22.12	18.18	22.12	28.18	33.18	36.34	39.84	43.24	46.24	46.24	46.24	46.24	50.35	82.95	81.94	41.06	49.14	-17	111	68
Lancaster, ...	16.76	11.76	16.76	20.76	26.76	30.76	35.76	39.76	43.76	43.76	43.76	43.76	50.35	82.95	81.94	41.06	49.14	-28	120	74
Lowville, ...	26.07	19.19	25.20	29.20	34.20	38.05	42.05	46.05	50.05	50.05	50.05	50.05	50.35	82.95	81.94	41.06	49.14	-4	96	51
Middlebury, ...	26.45	22.23	21.99	25.99	30.99	34.99	39.75	43.98	47.98	47.98	47.98	47.98	50.35	82.95	81.94	41.06	49.14	-6	104	71
Montgomery, ...	26.63	21.31	21.99	25.99	30.99	34.99	39.75	43.98	47.98	47.98	47.98	47.98	50.35	82.95	81.94	41.06	49.14	-11	96	57
North-Salem, ...	26.45	22.23	21.99	25.99	30.99	34.99	39.75	43.98	47.98	47.98	47.98	47.98	50.35	82.95	81.94	41.06	49.14	-11	96	57
Newburgh, ...	26.92	21.21	27.21	30.71	35.71	39.71	43.98	47.98	47.98	47.98	47.98	47.98	50.35	82.95	81.94	41.06	49.14	-11	96	51
Onondaga, ...	22.82	22.82	22.82	28.82	31.82	36.82	40.82	44.82	48.82	48.82	48.82	48.82	50.35	82.95	81.94	41.06	49.14	-11	96	51
Oxford, ...	23.87	18.88	20.57	26.57	31.57	36.56	40.82	44.82	48.82	48.82	48.82	48.82	50.35	82.95	81.94	41.06	49.14	-11	96	51
Pompey, ...	20.69	16.69	20.69	27.29	31.29	36.69	40.82	44.82	48.82	48.82	48.82	48.82	50.35	82.95	81.94	41.06	49.14	-11	96	51
Redhook, ...	26.07	18.72	21.77	26.71	31.71	35.98	39.75	43.98	47.98	47.98	47.98	47.98	50.35	82.95	81.94	41.06	49.14	-11	96	51
Schenectady, ...	22.12	18.18	22.12	28.18	33.18	36.34	39.84	43.24	46.24	46.24	46.24	46.24	50.35	82.95	81.94	41.06	49.14	-11	96	51
St. Lawrence, ...	27.74	23.23	25.23	28.74	33.74	36.74	39.74	43.74	46.74	46.74	46.74	46.74	50.35	82.95	81.94	41.06	49.14	-11	96	51
Union-Hall, ...	21.21	18.12	20.12	26.12	30.12	34.12	38.64	42.14	46.14	46.14	46.14	46.14	50.35	82.95	81.94	41.06	49.14	-11	96	51
Utica, ...	21.07	15.59	20.59	26.59	30.59	34.59	38.64	42.14	46.14	46.14	46.14	46.14	50.35	82.95	81.94	41.06	49.14	-11	96	51
Washington, ...																				
Cazenovia, ...																				

D RESU

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RECAPITULATION & RESULTS, NO. 3.

ACADEMIES	RAINFAGE FOR EACH MONTH.												Wettest month in the year.	Driest month in the year.	
	January.	February.	March.	April.	May.	June.	July.	Augt.	Sept.	Oct.	Nov.	Dece.			
Albany,.....	6	4.56	3.26	2.78	4.77	2.68	3.90	3.22	1.46	2.73	3.86	2.44	38.07	August,.....	
Auburn,.....	3	2.85	1.77	1.01	1.48	1.94	3.95	4.07	3.45	2.70	2.30	0.66	30.64	September,.....	
Cambridge, Washington,.....	9	3	4.10	2.25	4.85	3.77	4.97	2.50	0.81	3.30	3.03	3.94	30.04	September,.....	
Canandaigua,.....	182	22	3	2.56	2.87	2.77	2.60	1.47	3.03	3.34	3.54	2.15	1.75	2.17	June,.....
Cherry Valley,.....	188	177	5	3.75	3.08	2.03	4.65	3.44	2.96	2.30	4.29	3.28	3.26	2.78	September,.....
Clinton,.....	256	109	6	6.33	4.26	4.28	2.02	4.98	1.87	1.88	2.39	2.79	3.84	1.60	April,.....
Cortland,.....	65	3	50	3	2.64	2.74	1.80	3.96	2.21	3.02	2.40	2.27	2.27	2.27	January,.....
Delaware,.....	35	17	7	2.64	2.74	1.80	3.96	2.21	3.02	2.40	2.27	2.27	2.27	2.27	February,.....
Erasmus-Hall,.....	44	14	7	4.48	5.64	4.17	5.36	3.98	3.38	3.25	4.84	3.16	4.41	4.96	January,.....
Fairfield,.....	131	49	40	1.71	2.50	1.70	2.60	0.40	3.80	4.74	1.92	4.38	1.20	2.00	February,.....
Franklin,.....	180	61	18	2.10	1.05	1.42	1.39	2.74	3.61	3.91	2.20	2.56	1.35	2.36	April,.....
Frederick,.....	.....	.....	.....	.....	.....	1.05	1.05	2.06	2.70	2.21	3.05	1.40	3.99	4.76	July,.....
Greenville,.....	.....	.....	.....	.....	.....	2.05	2.05	2.50	2.50	1.89	3.82	0.90	2.98	4.24	April,.....
Hartwick,.....	178	187	39	12	4	1.20	3.60	5.50	1.95	4.50	1.65	3.45	2.55	1.67	September,.....
Hudson,.....	43	30	1	3.43	3.20	3.01	2.79	5.20	1.82	4.54	4.61	2.50	2.75	3.25	October,.....
Ithaca,.....	186	79	21	3	3.73	3.30	3.20	1.80	1.69	3.66	3.15	2.76	2.49	3.82	September,.....
Johnstown,.....	42	10	5	1.16	1.72	1.16	2.55	1.42	1.72	1.72	1.94	1.91	2.70	1.22	July,.....
Kingston,.....	49	11	3	4.11	2.51	2.15	4.49	2.63	3.84	3.63	1.61	3.49	3.10	2.83	February,.....
Lansingburgh,.....	142.5	66	10	2	4.53	3.60	4.98	2.44	5.89	5.82	1.66	2.12	3.32	2.20	June,.....
Lowville,.....	121.5	56	10	2	4.68	3.19	2.49	4.92	3.26	3.48	3.23	1.61	2.92	2.78	August,.....
Middlebury,.....	193	172	59	36	8	2.01	1.13	2.60	1.63	3.44	3.05	1.91	1.36	1.67	September,.....
Montgomery,.....	197.5	36	14	1	1.08	1.48	1.02	2.63	3.50	3.18	3.74	1.28	2.22	3.11	March,.....
Newburgh,.....	131.5	34	12	4.00	3.62	3.62	2.49	5.25	1.25	2.73	4.13	2.06	1.10	1.98	January,.....
Onondaga,.....	127	55	14	2	2.21	2.18	1.34	3.59	2.06	3.50	4.45	3.06	2.40	3.60	July,.....
Oxford,.....	132	40	11	4	3.26	2.51	0.39	1.94	1.39	1.90	5.00	2.30	2.48	2.13	March,.....
Pompey,.....	185	180	34	9	3.71	2.46	2.42	5.07	1.90	3.00	3.17	3.84	2.69	3.41	May,.....
Redhook,.....	176.5	53	23	6	3.70	3.00	0.55	0.10	2.26	1.85	5.02	4.15	2.45	4.32	March,.....
Schenectady,.....	145.5	46	23	3	3.45	3.08	2.72	4.96	2.68	2.19	3.81	1.67	2.98	2.09	April,.....
St. Lawrence,.....	205.5	39	17	4	0.59	1.66	0.65	2.22	3.20	4.81	3.91	1.36	2.71	2.09	January,.....
Union-Hall,.....	131.5	47	8	2	5.10	3.67	4.00	5.06	3.65	1.45	2.70	4.30	3.20	4.36	July,.....
Utica,.....	177	79	40	11	2.82	3.00	2.00	4.57	0.35	3.40	3.97	2.11	4.96	2.88	September,.....
Washington,.....	174	35	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	January,.....
Gazenovia,.....	174	35	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	September,.....

WEATHER, (NO. OF DAYS.)	TEMPERATURE FOR EACH MONTH.												Wettest month in the year.	Driest month in the year.		
January,.....	215.5	149.5	79	20	6	4.56	3.26	2.78	4.77	2.68	3.90	3.22	1.46	2.73	February,.....	
February,.....	192.5	172.5	28	16	3	2.85	1.77	1.01	1.48	1.94	3.95	4.07	3.45	2.44	March,.....	
March,.....	187.5	177.5	47	9	3	4.10	2.25	2.85	3.77	3.86	3.03	3.03	2.30	2.70	April,.....	
April,.....	183	182	22	18	5	3.15	2.56	2.87	2.97	2.60	1.47	3.03	2.30	2.21	May,.....	
May,.....	188	177	55	18	5	3.75	3.08	2.03	4.65	3.44	2.96	2.30	2.27	2.27	June,.....	
June,.....	256	109	36	6	1	6.33	4.26	4.28	2.02	4.98	1.87	1.88	2.39	2.32	July,.....	
July,.....	245	120	44	14	7	2.64	2.74	1.80	3.96	2.21	3.02	2.40	2.27	2.27	August,.....	
August,.....	234	131	79	12	3	4.48	5.64	4.17	5.36	3.98	3.38	3.25	4.84	3.16	September,.....	
September,.....	185	180	61	18	.....	2.10	1.05	1.42	1.39	2.74	3.61	3.91	2.20	2.16	October,.....
October,.....	179	186	79	21	3	3.73	3.30	3.20	1.80	1.69	3.66	3.15	2.76	2.49	November,.....	
November,.....	186	42	10	5	1	1.16	1.72	1.16	2.55	1.42	1.72	1.72	1.94	1.91	December,.....	
December,.....	222.5	142.5	49	11	3	4.11	2.51	2.15	4.49	2.63	3.84	3.63	1.61	3.49	3.10	January,.....
January,.....	221.5	143.5	66	10	2	4.53	3.60	3.06	4.92	3.26	3.48	3.23	1.61	2.92	2.78	February,.....
February,.....	195	170	56	10	2	4.68	3.19	2.49	4.92	3.26	3.48	3.23	1.61	2.92	2.78	March,.....
March,.....	193	172	59	36	8	2.01	1.13	2.60	1.63	3.44	3.05	1.91	1.36	1.67	April,.....	
April,.....	175.5	197.5	36	14	1	1.08	1.48	1.02	2.63	3.50	3.18	3.74	1.28	2.22	May,.....	
May,.....	233.5	131.5	34	12	4	4.00	3.62	3.62	2.49	5.25	1.25	2.73	4.13	2.06	June,.....	
June,.....	238	127	55	14	2	2.21	2.18	1.34	3.59	2.06	3.50	4.45	3.06	2.40	July,.....	
July,.....	233	132	40	11	4	3.26	2.51	0.39	1.94	1.39	1.90	5.00	2.30	2.48	August,.....	
August,.....	185	180	34	9	2	3.71	2.46	2.42	5.07	1.90	3.00	3.17	3.84	2.43	September,.....	
September,.....	188.5	176.5	53	23	6	3.70	3.00	0.55	0.10	2.26	1.85	5.02	4.15	2.45	October,.....	
October,.....	181.5	183.5	46	23	3	3.45	3.08	2.72	4.96	2.68	2.19	3.81	1.67	2.98	November,.....	
November,.....	219.5	145.5	73	19	3	3.45	3.08	2.72	4.96	2.68	2.19	3.81	1.67	2.98	December,.....	
December,.....	159.5	205.5	39	17	4	0.59	1.66	0.65	2.22	3.20	4.81	3.91	1.36	2.71	January,.....	
January,.....	233.5	131.5	47	8	2	5.10	3.67	4.00	5.06	3.65	1.45	2.70	4.30	3.20	February,.....	
February,.....	188	177	79	40	11	2.82	3.00	2.00	4.57	0.35	3.40	3.97	2.11	4.96	March,.....	
March,.....	191	174	35	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	April,.....

RECAPITULATION & RESULTS, NO. 4.

COMPARISON OF THE COLDEST AND WARMEST DAY IN EACH MONTH.

ACADEMIES.	December.												
	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	Coldest.	Warmest.	
Albany.....	3	17	5	12	7	16	20	24	27	30	5	26	
Auburn.....	6	16	4	19	7	23	20	23	27	31	6	27	
Cazenovia, Washington,.....	5	16	6	22	7	17	20	26	27	31	5	27	
Champlain,.....	4	17	7	23	7	16	20	28	31	34	1	24	
Cherry Valley,.....	3	14	4	19	8	20	10	25	25	29	2	22	
Clinton.....	3	14	3	20	8	20	10	25	25	29	1	22	
Cortland,.....	3	13	2	19	6	21	10	25	25	29	1	22	
Danbury,.....	3	13	7	19	4	20	10	25	25	29	1	22	
Dartmouth,.....	3	15	5	20	6	21	10	25	25	29	1	22	
Fairfax-Hall,.....	3	15	7	23	7	18	11	25	25	29	1	22	
Fairfield,.....	3	15	6	20	8	18	12	25	25	29	1	22	
Franklin,.....	3	14	4	19	8	20	10	25	25	29	1	22	
Freeport,.....	2	13	3	19	7	20	7	25	25	29	1	22	
Glenville,.....	2	15	4	20	8	16	11	25	25	29	1	22	
Hamilton,.....	2	15	7	23	7	18	11	25	25	29	1	22	
Hartwick,.....	3	15	8	21	5	17	11	25	25	29	1	22	
Hudson,.....	3	15	8	21	10	18	12	25	25	29	1	22	
Ithaca,.....	3	15	9	24	10	8	12	25	25	29	1	22	
Johnstown,.....	3	15	7	21	8	15	22	25	25	29	1	22	
Kingsport,.....	3	15	7	21	5	16	11	25	25	29	1	22	
Lancaster,.....	3	15	7	21	5	16	11	25	25	29	1	22	
Lancasterburgh,.....	3	15	7	21	5	16	11	25	25	29	1	22	
Lowville,.....	3	16	8	22	8	18	12	25	25	29	1	22	
Middlebury,.....	10	6	23	7	18	22	6	25	25	29	1	22	
Montgomery,.....	8	15	7	24	9	1	22	6	25	25	1	22	
North-Salem,.....	8	15	7	24	9	1	22	6	25	25	1	22	
Newburgh,.....	8	17	6	25	9	18	22	6	25	25	1	22	
Oncedaga,.....	3	15	12	7	6	17	6	25	25	29	1	22	
Oxford,.....	3	15	12	8	6	20	6	25	25	29	1	22	
Pompey,.....	3	15	12	8	14	22	6	25	25	29	1	22	
Redhook,.....	3	17	5	26	12	8	14	22	6	25	7	22	
Schenectady,.....	3	17	4	8	15	20	24	25	10	30	1	22	
St. Lawrence,.....	3	17	7	4	1	21	1	25	25	29	1	22	
Utica,.....	3	15	8	23	8	14	22	6	25	25	29	1	22
Watertown,.....	3	14	5	15	6	15	12	25	25	29	2	22	

RECAPITULATION & RESULTS, NO. 5.

COMPARISON OF THE RANKS IN EACH MONTH.

ACADEMIES		December.											
		Lowerest.						Highest.					
Albany,.....		18	12	9	14	18	12	5	6	10	12	15	18
Auburn,.....		22	19	13	17	17	17	6	8	12	12	18	22
Cambridge, Washington,.....		22	23	20	22	22	21	12	12	12	12	12	22
Canandaigua,.....		22	23	20	22	22	21	12	12	12	12	12	22
Cherry-Valley,.....		22	23	20	22	22	21	12	12	12	12	12	22
Clinton,.....		22	23	20	22	22	21	12	12	12	12	12	22
Cortland,.....		22	23	20	22	22	21	12	12	12	12	12	22
Delaware,.....		22	23	20	22	22	21	12	12	12	12	12	22
Dutchess,.....		22	23	20	22	22	21	12	12	12	12	12	22
Erie-Meadow-Hall,.....		22	23	20	22	22	21	12	12	12	12	12	22
Fairfield,.....		22	23	20	22	22	21	12	12	12	12	12	22
Franklin,.....		22	23	20	22	22	21	12	12	12	12	12	22
Greenville,.....		22	23	20	22	22	21	12	12	12	12	12	22
Hamilton,.....		22	23	20	22	22	21	12	12	12	12	12	22
Hartwick,.....		22	23	20	22	22	21	12	12	12	12	12	22
Hudson,.....		22	23	20	22	22	21	12	12	12	12	12	22
Ithaca,.....		22	23	20	22	22	21	12	12	12	12	12	22
Johnstown,.....		22	23	20	22	22	21	12	12	12	12	12	22
Kingston,.....		22	23	20	22	22	21	12	12	12	12	12	22
Lansdale,.....		22	23	20	22	22	21	12	12	12	12	12	22
Lowville,.....		22	23	20	22	22	21	12	12	12	12	12	22
Middlebury,.....		22	23	20	22	22	21	12	12	12	12	12	22
Montgomery,.....		22	23	20	22	22	21	12	12	12	12	12	22
North-Salem,.....		22	23	20	22	22	21	12	12	12	12	12	22
Newburgh,.....		22	23	20	22	22	21	12	12	12	12	12	22
Ossining,.....		22	23	20	22	22	21	12	12	12	12	12	22
Oxford,.....		22	23	20	22	22	21	12	12	12	12	12	22
Pompey,.....		22	23	20	22	22	21	12	12	12	12	12	22
Rodbook,.....		22	23	20	22	22	21	12	12	12	12	12	22
Schenectady,.....		22	23	20	22	22	21	12	12	12	12	12	22
St. Lawrence,.....		22	23	20	22	22	21	12	12	12	12	12	22
Utica,.....		22	23	20	22	22	21	12	12	12	12	12	22
Washington,.....		22	23	20	22	22	21	12	12	12	12	12	22
Cassonova,.....		22	23	20	22	22	21	12	12	12	12	12	22

[No. 216.]

REATIONS, 1

Cherry in bloom.	Lilac in blossom.	Chestnut tree in blossom.	First fall of snow.
May 8.			Nov. 11.
May 17.	May 21.		Nov. 13.
May 9.	May 21.		Nov. 11.
			Nov. 14.
		Nov. 8.	Oct. 20.
May 20.			None.
May 20.	May 25.		Oct. 20.
May 8.			Nov. 14.
May 6.	May 20.	July 6.	Nov. 11.
			Oct. 20.
			Nov. 11.
May 19.	May 21.		Nov. 11.
May 18.	May 27.		Oct. 1.
May 2.	May 18.		Nov. 7.
May 5.			Nov. 14.
May 12.			Nov. 18.
	May 17.		Nov. 14.
May 18.			Nov. 14.
			Nov.
			Oct. 20.
			Nov. 12.
May 24.	May 17.	July 1.	Nov. 26.
			Nov. 14.
May 7.	May 19.		Nov. 11.
	May 25.		Dec. 8.
May 20.	May 26.		Oct. 20.
May 8.			Nov. 8.
May 1.	May 21.		Nov. 14.
May 27.			Oct. 20.
			Nov. 14.

at half past 5, P. M. Next to the sun was a coloured circle, whose diameter was equal to a chord of 30° of the sensible horizon. At

RECORDS, I

Cherry in bloom.	Lilac in blossom.	Chestnut tree in blossom.	First fall of snow.
May 8.			Nov. 11.
May 17.	May 21.		Nov. 18.
May 9.	May 21.		Nov. 11.
			Nov. 14.
May 20.			Nov. 8.
May 20.	May 25.		Oct. 20.
			None.
May 8.			Oct. 20.
May 6.	May 20.	July 6.	Nov. 14.
			Nov. 11.
			Oct. 20.
			Nov. 11.
May 19.	May 21.		Nov. 11.
May 18.	May 27.		Oct. 1.
May 2.	May 18.		Nov. 7.
May 5.			Nov. 14.
May 12.			Nov. 18.
			Nov. 14.
			Nov. 14.
May 18.			Nov. 14.
			Nov. 18.
May 24.	May 17.	July 1.	Oct. 20.
			Nov. 12.
			Nov. 26.
			Nov. 14.
May 7.	May 19.		Nov. 11.
	May 25.		Dec. 8.
May 20.	May 26.		Oct. 20.
May 8.			Nov. 8.
May 1.	May 21.		Nov. 14.
27.			Oct. 20.
			Nov. 14.
			Nov. 14.

HALOES, &c.

at half past 5, P. M. Next to the sun was a coloured circle, whose diameter was equal to a chord of 30° of the sensible horizon. At

the north, south and east points of this circle were luminous spots of considerable magnitude, the west part of the circle was below the horizon. North and south of the sun (one on each side) were two arcs of a circle, answering to a radius, about twice as great as that of the inner circle. These larger arcs were coloured, as the rainbow, the red being next to the sun. East of the sun or above it, and at the same distance therefrom, as the north and south arcs, was another arc coloured like them, (though less bright) but manifestly convex towards the sun. Directly between this last mentioned arc and the sun, and externally tangent to the eastern part of the inner circle, was a luminous and broad parabolick curve. *Lowville.*

- April 8. Halo round the moon, at *Pompey, Utica.*
- May 15. Bright lunar halo, at *Utica.*
- June 8. Brilliant circle round the moon, at 11 P. M., with a mock moon on the right of the circle, at *Utica.*
- Sept. 2. A bright parhelion seen near sunset, about 8° from the sun, at *Erasmus-Hall.*
- Sept. 9. A beautiful, large halo round the moon, at *Delaware.*
- Nov. 6. Large lunar halo, at *Lowville.*
- Dec. 2. Lunar halo, at *Lowville.*
- Dec. 30. Lunar halo, at *Cazenovia.*

METEORS.—June 14. A splendid meteor noticed about 8 P. M. at *Delaware.* Bright meteors seen, at *Hartwick.*

Oct. 2. A meteor passed from north to south, 8 P. M., at *Erasmus-Hall.* Meteors seen S. E. before dark, at *Hartwick.*

Oct. 5. Brilliant meteors passed N. W. to S. E. $6\frac{1}{2}$ P. M., a little east of the meridian, apparent size about 9 inches, at *Erasmus-Hall.*

Oct. 24. A brilliant meteor seen in the east at an angle of 40° above the horizon. It moved south, and in a few seconds disappeared. *Lansingburgh.* A bright meteor passed at 10 P. M., easterly of the village from northeast to southwest. *Utica.*

STORMS, &c.—On Sunday, the 12th July, at 3 o'clock, while the bells were ringing for church, a storm of wind and rain, accompanied with some thunder and lightning, from the southwest, passed over the city. This storm is worthy of notice, particularly in relation to an observation made by Dr. Franklin, that in this country all the N. E. storms begin first in point of time in the southwest; or in other words, that the progress of the storm, over the face of the country, is in a direction opposite to that of the wind at the time. According to the New-York papers the above mentioned storm was much more violent in that city than in Albany; and began some time after the preaching of the sermon in the different churches had commenced. It must therefore have happened between three quarters of an hour, and an hour and a half, later at New-York than at Albany. Dr. Franklin concluded that the storms observed by him, receded in this manner about one hundred miles in an hour. [See Franklin's Works, vol. 3, page 284.] *Albany.*

Sept. 25. Two thunder storms, P. M. On the same afternoon, the papers mentioned a violent thunder storm passing over part of Dutchess county, which killed a number of sheep. *Albany*

Sometime in the latter part of September, there was a violent *tornado* in the north part of this and the adjoining town of Fenner. Its course was about S. E. by S., and its extent, ten or twelve miles. Many out-houses were overturned or unroofed, trees, three feet in diameter twisted off, and large limbs hurled five or six hundred feet in the air. Its path, the whole of the above distance, was visible by its effects when I visited it some two months afterwards. In some parts, it urged its way through strips of woodland, leaving nothing but an occasional tree dismembered of its branches—in others, it was more elevated, as was determined by the limbs of trees and dust carried with it, and consequently less destructive. It succeeded a sudden change of the wind from south to N. W. by west. *Cazenovia.*

RAIN AND SNOW.—June 22. During 28 days, less than $\frac{1}{2}$ of an inch of rain has fallen. *Cunandaigua.*

Oct. 5. A rainbow appeared in the N. E. from clouds which brought no rain. *Delaware.*

Feb. 25. Snow 3 feet deep in the south west part of this town. *Louville.*

WINDS.—The situation of Homer village in a long and somewhat deep valley, produces a fluctuation and incessant vacillation of the currents of air, such as I never witnessed in any other place.

To give an example: in the morn or evening, it would be no unusual occurrence, in looking at half a dozen vanes, or the smoke ascending from as many chimneys, to see them veering in as many different directions at the same moment; and all this within 30 rods distance of the observer. Such a variety may be seen almost any day, and, occasionally, at any time in the day; but is most frequent near the time of sunset or sunrise. So that when the current is strong and steady, perhaps all the day, on the neighboring hills, either east or west of us, a person in this vale would be utterly unable to pronounce from what point of the compass the wind was that moment blowing, in a general course, in this section of the country.

From four years' experience and much observation on this subject, in this vicinity, I am well assured, that while upon the high grounds in this region the wind is blowing steadily from the east or west, the currents are here between S. E. and S. W., or between N. E. and N. W.

In the greatest severities of weather in winter, even when the mercury stands below zero in Fahrenheit's scale, the movement of the air in this valley is almost imperceptible; but when perceived in the morning, its course is almost always from the S. or S. W. Such a phenomenon I never noticed in any other place. *Cortland Academy.*

The prevalence of westerly, and the entire absence of northerly winds, at Utica, is explained by an attention to the features of the

country. Our observation must first be directed to the vast extent of level country surrounding and stretching far west and north of lake Oneida; over which the prevailing winds of our country, the west and northwest, sweep without any particular obstruction, till they are compressed by the high hills of the Black river country on the north, and the hills on the westerly and southerly side of this lake, approaching near each other in the towns of Floyd and Rome, or Whitesborough; and forming a deep opening or gap, through which runs the Mohawk valley, in a direction a few degrees south of east. Immediately on passing this gap, opens to the south, the extensive vale of Oriskany and Saquoit, which may be termed the Oriskany basin;—bounded on the west by the high hills towards Augusta, and on the south by a chain of hills extending from Madison county, in an easterly direction, to the river Mohawk, at a point a few miles below the village of Utica, and rising to an elevation of more than a thousand feet. The northerly side of this basin is bounded by the Floyd hills, which extend with a bold elevation along the margin of the Mohawk to some distance below Utica. The current of wind after entering the Oriskany valley spreads in a southerly direction, till on reaching the barrier on the south, it is reflected to the east, and continuing its course along the hills by the village of New-Hartford, it passes the village of Utica, situated almost in the southeastern extremity of this basin, in an easterly direction; cutting the Mohawk valley a little transversely, till it passes through a second gap, a few miles below. Hence the winds, which in other parts of our country are called *northwest* winds, and which blow so uniformly from that direction, when not particularly obstructed, as in this place, that they constitute a distinguishing feature in the climate of our country, are in this part of the Mohawk valley, almost unknown. For similar reasons a northeast wind is seldom observed. *Utica.*

TEMPERATURE OF WELLS.—Examined in August, 51°. *Albany.* In September, 51°. *Albany.*

Examined Sept. 2, at 3 P. M., stood at 49° in a well 18 feet deep and the thermometer immersed 10 feet beneath the surface of the ground. On the following morning, at sunrise, the thermometer in the same situation remained at 49°. *Lovewell.*

RIVER HUDSON.—April 1. Open at Albany. April 3. The first steam-boat came up to Albany. *Albany.*

March 31. River opened. *Hudson.*

April 2. River opened. *Lansingburgh.*

Jan. 11. River closed at Poughkeepsie. 22. Open again and steam-boats came up. 28. Closed again. March 28. River open. *Poughkeepsie.*

January 3. River closed at Kingston. March 30. River open. *Kingston.*

RIVER MOHAWK.—April 6. The ice left the Mohawk. *Albany.* April 4. Mohawk clear of ice and in full flood. *Utica.*

April 24. Canal navigation commenced. *Utica.*

LAKE ERIE.—April 13. Huge bodies of ice floating on the south shore, making the weather colder than it would otherwise be. 31. Ice out nearly to Cattaraugus. May 14. The steam-boat left Buffalo for Dunkirk. *Fredonia.*

Accompanying the report of the North-Salem Academy, is a catalogue of plants growing in its vicinity. The following are selected as among the rarest:

- Arum dracontium.*
- Cactus opuntia.*
- Eriocaulon pellucidum.*
- Euchroma coccinea.*
- Fumaria officinalis.*
- Helonias dioica.*
- Heuchera americana.*
- Hottonia palustris.*
- Liatris cariosa.*
- Malaxis liliifolia.*
- Orobanche uniflora.*
- Rhexia virginica.*
- Saururus annuus.*

The reporter mentions that the catalogue has been furnished by Dr. Mead, residing in the vicinity.

IN ASSEMBLY,

March 2, 1830.

REPORT

Of the Committee on Medical subjects, on the petition of sundry practitioners of medicine in the city and county of New-York.

Mr. Harrison, from the committee on medical subjects, to which was referred the petition of sundry practitioners of medicine in the city and county of New-York, praying for a repeal of the present law, regulating the practice of physic and surgery, and the memorial of the New-York state society, and also the memorial and remonstrance of the Medical society of the city and county of New-York, as well as that of the Medical society of the county of Herkimer, against the repeal of the said law, beg leave, respectfully to

REPORT :

That they have had the same under their consideration, and that they have devoted to the subject, all the attention which its intrinsic importance, and the great respectability of the petitioners, as well as the acknowledged weight, influence and authority of the several medical societies, required of them.

The subject of medical education, and the adoption of suitable regulations, for practitioners in the healing art, have been objects of interest and solicitude to the Legislature for many years; and repeated and varied enactments are to be found upon our statute books, having in view the promotion of medical science, and the interests of that profession, which is deemed of vital importance in every well regulated community. As early as the year 1760, the attention of the Legislature was attracted to this subject, and it was found expedient, by certain enactments, to regulate the practice of

physic and surgery ; and although your committee do not deem it necessary to advert particularly to the several acts that were passed, and the revisions made in our laws on the subject, between that period and the year 1813, when they underwent their last general revision, yet that it will not be improper to remark, that in 1792, the former act was considerably modified, and new provisions to protect the community against irregular practitioners introduced ; and also that in 1797 a general law was passed upon the subject, which was so far adapted to the objects had in view, and was so satisfactory, both to the profession and to the state, as to remain unaltered until 1806, when the whole system was changed, by the incorporation of the state and county medical societies. This important alteration in the structure of our laws on medical practice, seems to have been produced by a conviction on the part of the Legislature, as well as of the state at large, that the profession ought, as a matter of right, to be placed upon the same ground with that of every other, and that its members should enjoy the privileges of regulating their own immediate concerns. Public sentiment was guided by experience on this occasion, and the spirit of inquiry was soon led into the true channel. Legal and ecclesiastical tribunals and associations were familiar to every one, and as they had for ages been the only constituted judges of the qualifications of their respective members, and had been allowed to exercise the power exclusively of admitting them to, or of depriving them of their professional immunities, a rational analogy led at once to the right conclusion, viz. that professional men only were properly qualified to regulate professional pursuits.

In the incorporation of the state and county medical societies, in 1806, the state transferred the power of judging of the qualifications of physicians, and of granting licenses to practise, from the legal tribunals and authorities, and vested it in the members of the profession themselves ; and to give efficiency to the system, and authority to the proceedings under it, the diplomas conferred by the societies secured to the licentiates all the immunities which the state had the power to bestow.

A revision of this act was made in 1813, but no material alteration was made in its features, except only as it related to unlicensed practitioners. The penalty against them was preserved, excepting however from its operation, those who made use of the indigenous productions of our country only, in their practice. And it is these

acts of 1806 and of 1813, which together with the amendments in 1818 and 1819, that constitute essentially the medical law of the state, and furnished the foundation for the recent superstructure of the revisers.

Your committee do not deem it necessary either to analyze, or to state in detail the various provisions contained in the Revised Law of 1813, and in the amendments afterwards made, as it is to be presumed, they are familiar to every member of the House. It will be sufficient for them to say that they formed collectively a body of regulations, which at the time of their adoption, seemed to embrace every thing that was required to elevate and dignify the profession, and to secure to the community all the advantages which a well matured plan of medical education, and the certainty of having well instructed physicians, could afford.

Just, and rational, and admirably calculated as this system really was, to sustain the interests of the profession, and to promote the public welfare, yet it was not to be expected that it would be found perfect in all of its provisions. It was true the right principle had been discovered, but it was in the *application* of this, to the numerous and diversified objects included in the law, that error was to be apprehended, and accordingly, as was foreseen, further experience was enabled to point out defects, which it became the province of the Legislature from time to time to correct. But still the law has continued unto the present time to shed its benign and truly happy influences, not only upon the profession, but upon the community at large.

In the late revision of our laws in 1827, it was deemed necessary by the revisers to modify some of the provisions of the former act, and to introduce additional enactments, the better to regulate, define and strengthen the whole. These additions by the revisers have been denominated "General regulations concerning the practice of physic and surgery in this state," and are comprised in the 7th title of the 14th chapter, part first of the Revised Statutes; and it is from the introduction of these new provisions, that the present dissatisfaction and complaints have originated, and which have now reached the Legislature in such an imposing form.

In proceeding to investigate the causes of complaint as set forth by the petitioners, the committee propose in the first place to pass in review the several regulations that have been adopted by the re-

visers, and to examine how far they are in conformity with the spirit of the previous enactments, and in what respect they are to be considered as departing from it, and to be viewed as oppressive, odious, or derogatory to the true interests and character of that profession which they were designed to foster and protect. And in order to do this with some degree of perspicuity, and for more convenient examination, your committee will divide these regulations, as contained in the above named 7th title, chapter 14th, R. S., into four distinct classes. The first class of provisions presented to us, are those which prescribe the manner in which physicians and surgeons shall become members of the respective county societies, and designate the penalties for a non-compliance with the statute. This head comprises two sections only.

2d. Those provisions which relate to the punishment of members for "gross ignorance and misconduct in their profession, or immoral conduct and habits," from the 3d to the 7th sections.

3d. Such provisions as relate to the qualifications, term of study and license of students; the conferring of degrees by the regents, and by colleges; and of requirements from persons who may come from another state or country to practise in this state; from the 8th to the 21st section inclusive: and fourth, of such provisions as relate to unauthorised practitioners; section 22d.

With regard to the provisions contained in the two sections in the first class of regulations referred to, which provide for the admission of members by a compulsory process, your committee feel themselves obliged, in justice to the revisers and in defence of these provisions, to observe, that those of the former law upon this subject, for which these two sections were intended as a substitute, were found entirely inoperative, and that physicians and surgeons became members, or not of the county societies, as best suited their interests or inclination, as no penalty was affixed to this violation or omission of duty; and it seems to have been the intention of the revisers to affix such penalties as promised to insure a due observance of the requirement. It is this part of the law, and the proceedings under it, (and which, in the opinion of your committee, has been very imperfectly understood,) that furnishes the strongest ground of objection to the petitioners, and the strongest arguments by which the present law has been assailed.

The objections of the petitioners to this part of the law are—1st. That it compels them to become members under severe penalties; and 2dly. That it compels the society to receive every empiric or other irregular practitioner, if such apply for admission.

These objections, at first view, appear to be valid and imposing, but a little attention has convinced your committee that they are fallacious; although they have no doubt of the sincerity with which they are made, nor of the purity of motive from which they proceed. But whilst they readily award this tribute of justice to the petitioners, they cannot avoid the conviction, that these objections owe their origin either to a misapprehension of the duties imposed upon physicians by the incorporation of medical societies—a wrong construction of the law itself, or a misapplication of its provisions to the several objects to be effected by them. As before observed, the state in transferring its powers from the judicial authorities, in whom they were previously vested, to the several societies, conferred new rights upon the profession, and in return for these privileges, it is fairly to be assumed it was intended to impose new duties; and then that the subject of medical education and medical practice, should be carefully guarded and faithfully attended to by those in whose hands the supervisory power had been placed; and that it should be obligatory on the faculty to organize societies and to hold meetings, in order that such societies might intelligently and judiciously administer the concerns of that profession, in which the community had so deep an interest, and which had thus been confided solely to their care. But the provisions of the former law, as before stated, were found inoperative or nugatory, for they merely required physicians to associate together, without subjecting them to any penalty for a non-observance of the duty, and when novelty ceased, they became indifferent and inattentive, and the petitioners themselves have furnished the evidence in support of the fact, that many attended the meetings but rarely, that others absented themselves altogether, and that a rapid tendency to total dissolution had become apparent in many of these institutions. A remedy therefore was obviously required; and as this was not to be found in the previous law, the duty of providing one, was imposed upon the revisers; and the committee cannot refrain from expressing the belief, that it is such a one as the good of the profession, and the permanent welfare of the state required.

In regard to the penalties imposed by the law, for a non-compliance with its injunctions, the committee are of opinion, that the "forfeiture of license" is intended to be temporary only; and that the law does not contemplate its extension beyond the time of the special application for admission: and as the duty on the part of the society, of admitting, on such application, is clearly implied. This objection therefore, arising as it does from a misconstruction of the law, cannot be considered valid, especially as the disfranchisement, or deprivation of privilege can continue no longer than the contumacy it is intended to correct.

The second objection made to this part of the regulations by the petitioners, is, that the societies are compelled to receive every empiric, or other irregular practitioner, who may make application for admission: and the committee cannot but express their regret that the first section had not have been drawn in terms more definite and less equivocal, and that the words duly authorised to practise, or others of a similar import, had not have been employed by the revisers, to have vested in the societies, in express terms, the power of rejecting such applicants as were not empowered to practise by our laws. But the committee are nevertheless of opinion, that this power is fairly implied in the section alluded to, and that the words "every physician and surgeon not already admitted," &c. ought to be so construed as to include those only who are legally qualified. And if such signification is given to these words, then it follows that satisfactory evidence must be exhibited by every applicant that he has regularly studied, and has been duly authorised by law to practise physic or surgery. It appears to the committee therefore, that although the law is susceptible of amendment in this particular, yet that the societies do possess the power of judging of the qualifications of candidates, and of rejecting such as are not regularly licensed.

In directing their attention to the second class of provisions contained in the general regulations of the revisers, which relate to the punishment of members for "gross ignorance or misconduct in their profession, or for immoral conduct or habits," and the proceedings to be had when such charges are made, the committee have to observe, that in their opinion these provisions are important and necessary, as it seems to have been the intention of the Legislature originally, that the county societies should possess a controlling power over the conduct of physicians in the respective counties, and they were accordingly authorised to expel members whenever their conduct professionally or morally, was such as to require or justify the measure.

But no loss of professional privilege followed such expulsion; and when such an occurrence took place, physicians, and the public in general, were more disposed to look upon the act as an impotent expression of personal hostility, than as a deliberate legal decision upon the professional merits or demerits of the individual so expelled. It was essential, therefore, to the preservation both of the dignity and authority of the county societies, that expulsion should be followed by other penalties; and although suspension from, or the entire forfeiture of professional immunity, seems at first view harsh and severe; yet, when it is observed that the "members of the other learned professions are often suspended, or permanently degraded" from their privileges in the most summary manner, and "how carefully the rights of physicians in the case before us, are guarded and protected by the law, in requiring the concurrence of "two-thirds of the members present in the truth of the charges preferred," and in affording a full opportunity afterwards, on the part of the accused, to vindicate himself before a tribunal, that we are bound to believe, must be impartial and unprejudiced, and consequently the little danger, even by possibility, of these penalties being visited upon innocent and deserving members of the profession, impel your committee to express, and in the most decided manner, their entire approbation of this part of the law; and to add, that they do not see anything in these provisions, either "dishonorable to the profession, or disgraceful to the state," as alleged by the petitioners. The District-Attorney is to be viewed in this case in no other light, and can have no other interest in the process, than as the representative or agent of the society, and through him the evidence is to be embodied, and the facts exhibited, as the president of the society, and even the accused, jointly with him, may himself require. And the judges of the county court are required to hear and determine the truth of the charges, upon the evidence which shall be laid before them.—The individual accused being in this way shielded entirely from the effects of either professional rivalry or professional prejudice in his judges.

Your committee pass now to the third class of provisions embraced in the regulations of the revisers, or such as relate to the qualifications, term of study, and license of students; the conferring of degrees by the regents and by colleges; and of the requirements from persons who may come from another state, or country, to practise in this state.

These regulations prescribe in substance, "That the regular term of study of medical science, shall be four years; but that if the student, after the age of sixteen years, shall have pursued any of the studies usual in the colleges of this state, or shall have attended a complete course of all the lectures delivered in an incorporated college in this state or elsewhere," in either case, upon giving satisfactory proof thereof, one year shall be deducted from the term. But this attendance of all the lectures of an incorporated college, is not made the condition upon which is to depend the student's admission to an examination for a license, nor is his non-attendance on such lectures to be considered as any bar against such admission, as represented by the petitioners. The law only enjoins upon the candidate a pupilage of one year more, if he has not, or could not enjoy the advantages of such a course. This provision, therefore, does not interfere in the least, with the rights of private lecturers, as stated by the petitioners, but leaves, as it ought, such teachers at full liberty to pursue their avocation, and to students the same privilege, of choosing for their instructors, those, whose talents and professional acquirements may entitle them to the preference.

Your committee do not deem it necessary to dwell upon this part of the subject. The above provisions being so just and rational, and calculated as they are to be made so conducive to the interests of the profession and to the public welfare, that they are persuaded a mere recital of them is sufficient to carry the conviction of their utility, to every reflecting mind.

The power of conferring the degree of Doctor of Medicine, which shall also be a licence to practise, is vested by law in the Regents alone, and this honor is to be conferred only on such students as shall have attended the lectures in the incorporated institutions. But the petitioners do not complain of this, but of the inconsistency of the law, which denies the privilege of conferring degrees, which shall be a license to practise, to the colleges not incorporated by the state. But as this is a question of much interest to the faculty in the city of New-York, as well as to the community at large, and more especially as several memorials upon this subject, as your committee have been informed, have been sent to the other branch of the Legislature, they are admonished both from respect to that honorable body, as well as from the great importance of the question, to refrain from any expression of opinion thereon.

The petitioners also object to the law, and remonstrate against the facilities which it affords to licentiates of another state or country, who may wish to practise in this state. But to correct this error it is only "necessary to refer to the 17th section of the regulations of the revisers, by which it will be perceived that every such licentiate is required to exhibit to the medical society of the county," in which he purposed to practise, satisfactory evidence, that he has regularly studied physic and surgery, according to the 9th section of the regulations, while the 16th section also makes additional provision in such cases;" thus placing the emigrant from another state or country, precisely upon the same footing with those who may have pursued their studies in this state. Your committee, therefore, are satisfied that the regulations in this respect, cannot, and ought not to be considered as either "odious, invidious or oppressive," as represented by the petitioners. But that on the contrary, they are founded upon reasonable and just principles, which, whilst they secure the interests of the profession, reflect honor upon the liberality of the state.

On the 4th and last division of the subject, your committee must be brief. No argument is necessary, in this enlightened age, to prove that those who are entrusted with the health and the lives of their fellow-men, should fit themselves for their functions, by some previous course of preparation and study, and that they alone should not be the judges of their qualification. From the admitted necessity of this, has arose that system of regulations which your committee have now passed in review. But apart from those who conform to the law, and study and practise their professions under such regulations as the government prescribe, another body of men, distinct and separate from them, assume the name, and appear at the bed-side of the sick, in the garb of the physician; and the credulity of mankind, ever ready to patronize what is secret and mysterious, has countenanced and supported their pretensions.

These men, whose numbers have so greatly increased within the last few years, in our state, and who unreservedly admit, that they possess no knowledge of the art, through the regular channels, and who submit to no test of their qualifications whatever, now also come forward, and ask for the repeal of a portion of our statutes, on the ground that they are unjust and oppressive, and deny to them the privilege accorded to every other class of citizens, to wit: that of engaging in such employments as inclination, or a regard to their own interests may prompt them to pursue.

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But your committee are persuaded that the practice of empirical physicians is a positive evil, and fraught with the most dangerous consequences to the community. The ignorance of these practitioners of anatomy, or of the changes produced in the human body by disease, and their evident want of knowledge, even of the science from which they have borrowed their name, ought to satisfy every reflecting individual of their utter unfitness to practise a profession, which requires an intimate acquaintance with these subjects not only, but with many others relatively useful in the practice of the well-educated physician. But although your committee are convinced that for the good of society, legal restraints should be imposed upon this class of practitioners, yet they are not disposed to believe that they can, or that they ought to be immediately suppressed by the infliction of pains and penalties, inconsistent in their nature with the benign spirit of our laws, and the genius of our government. Fine and imprisonment are punishments inapplicable to the offence, as they carry with them too much of the appearance of tyranny and persecution, and the objects of the law are defeated by the severity of its penalties. Your committee have no hesitation, therefore, in recommending the repeal of that portion of the statute which imposes fine and imprisonment upon this class of practitioners, leaving them still liable to the other disabilities prescribed by the law.

In the preceding examination, the committee trust they have been guided by a spirit of candor and impartiality; and that they have demonstrated as clearly as their confined limits would admit, that the general regulations adopted by the revisers, are in perfect consonance with the spirit of our former enactments; and that they are admirably calculated to improve and strengthen the whole system. That they clearly define the duties, and indicate the responsibilities of physicians; prescribe the period of pupilage, and create a standard of professional acquirement, without being oppressive, unattained before, and which hereafter must elevate the profession to the highest degree of respectability and usefulness. No system, superior to it, perhaps could be devised; and your committee are of opinion, that it would bear a favorable comparison with that of any other, either in this country or elsewhere, and they cannot therefore withhold from it their entire approbation: And this sentiment, they are persuaded, will be responded to by nearly the whole profession in the state. And in support of this, your committee are happy in being able to cite the resolution of the State Medical Society at its

late meeting, unanimously adopted, and carrying with it the united testimony in favor of the law, of every county represented in that body, to wit :

"Resolved, That we, the Medical Society of the State of New-York, are thoroughly convinced of the extreme practical utility, and beneficial tendency of the present existing law of this state, regulating the practice of physic and surgery."

No petition against the law has been presented from any part of the state, except from the city of New-York, which also affords the strongest evidence of the favorable light in which it is viewed by the profession at large. And in that city, your committee feel warranted in believing, much of the opposition to the law arises from local causes and circumstances not affecting or influencing physicians in other parts of the state. The unfortunate division existing in that city on the subject of the college charter, has had its full share in producing this hostility to the law ; as it is presumed several of those who are most distinguished on the list of the petitioners, would have been found the warm advocates of it, but for the unhappy dissensions existing between the rival institutions there. Besides, the very injudicious proceeding of the medical society of that city, in continuing to exact an inordinate initiating fee on the admission of members, after the alteration in our statute, compelling physicians to become members, has had a powerful effect in exciting opposition, and rendering the law odious.

The supreme court, as appears from the report of the Attorney-General, have lately decided the ~~action~~ to be legal ; but it will not meet with the sanction of the profession ; and the committee cannot approve of any attempt to enforce a mere by-law by a resort to legal measures. It would be alike repugnant to sound principles, and sound policy. To compel individuals to join the societies under a penalty no less severe than the loss of their licenses, and then to meet them at the threshhold with a heavy pecuniary exaction as the price of their compliance, is wrong in principle and wrong every way. Your committee, therefore, respectfully suggest the propriety of removing this cause of complaint, by abolishing the power of imposing an initiating fee altogether, as the funds to be derived from the annual contributions, may, in their opinion, be made fully adequate to all the pecuniary wants of the societies.

Finally, the committee beg leave to submit to the House that these regulations of the revisers, have been in operation but two years only, and that their experience for that short period has suggested nothing that would justify your committee in recommending a change of the present system. It remains, therefore, for them only to repeat to the House their conviction that the prayer of the petitioners *ought not to be granted*, and that it is not expedient to make any alterations in the law at the present time, except those suggested by your committee ; and for that purpose they have directed their chairman to ask leave to introduce a bill.

No. 218.

IN SENATE,

March 1, 1830.

REPORT

Of the Regents of the University, in compliance
with a resolution of the Senate, of the 4th Febru-
ary, 1830.

To the Honorable the Senate of the State of New-York.

The Regents of the University, in compliance with a resolution of the honorable the Senate of the 4th instant, "requiring them to report the amount of money belonging to the Literature Fund, by them distributed in each year, from the year 1823, to the year 1830, inclusive, distinguishing the amount distributed to each Senate district, in each year,"

RESPECTFULLY REPORT—

That the schedule hereunto annexed, contains all the information required by the resolution of the honorable the Senate.

Respectfully submitted.

By order of the Regents,
SIMEON DE WITT, *Chancellor.*

Albany, February 27, 1830.

[No. 218.]

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No 219.

IN SENATE,

March 3, 1830.

REPORT

Of the Surveyor-General, on the petition of Andrew Phares.

The Surveyor-General, on the petition of Andrew Phares, referred to him by the honorable the Senate,

RESPECTFULLY REPORTS :

That the superintendent of the salt springs, by virtue of authority vested in him by law, did many years since, lease to the salt manufacturers at Geddes, sundry seven-acre pasture lots in the vicinity of their works, for a term to expire in 1828. In 1820 the plan of the village of Geddes was formed, and the ground was laid out into streets and lots, without paying any regard to the irregular lines of these pasture lots. The commissioners of the land-office, being empowered by law to do so, offered to the lessees to take their rights at an appraised value, for which they would be credited, on any purchases they might make of the lots laid out in the village. Some availed themselves of this favorable offer, but others did not. Among them was the tenant of pasture lot number 11, to which the petitioner refers. The surrender of this lot, on the proposed condition, was refused, and the village lots covering it were withheld from sale until the expiration of the lease, when the village lots on it or interfering with it were sold. There was no intimation given at that time that there was any improvement on it, and there is now no proof that there was any entitled to consideration, and even if there had been, there was no law existing by which he was entitled to a remuneration for it. The tenant must have known, that

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at the expiration of the lease, the premises, with every thing on it, would revert to the state. He has, therefore, no legal claim for any improvement he may have made on the lot.

Respectfully submitted,

SIMEON DE WITT,
Surveyor-General.

March 3, 1830.

IN ASSEMBLY,

March 1, 1830.

MESSAGE

From the Acting Governor.

TO THE LEGISLATURE.

GENTLEMEN--

I have recently received official information of the condition of our state penitentiaries, which I feel bound to lay before you.

The south wing of the Auburn prison was constructed upon the model of the old New-York state prison, with rooms sufficiently capacious to contain from five to eight convicts each. The north wing was subsequently built upon a new model, and contains five hundred and fifty cells, adapted to the separate imprisonment of convicts. Since the construction of cells, the south wing has been considered useless as a prison, on account of its total unfitness to the system which has been so happily adopted and successfully pursued.

The agent of that prison reported to me, under date of the thirtieth day of January last, that that he had then under his charge, six hundred and forty-five convicts, twenty-three of whom were females. That the females were confined together in one room, and that he had been compelled to confine the excess of males over five hundred and fifty, in the south wing; and in some cases, for want of other accommodations, two in the same room.

For relief against a farther excessive increase, I issued an order, in conformity to the provisions of the Revised Statutes, directing

[No. 230.]

the future convicts from the counties of Herkimer, Oneida, Otsego, Chenango, and Broome, to be sent to the prison at Sing-Sing.

The agent of the Sing-Sing prison reports, under date of 17th February last, that there were then six hundred and three convicts in the prison under his charge, and that that prison contains eight hundred cells. He estimates that there will probably be seven hundred and eighty-eight convicts under his charge, at the close of this year, without taking into the estimate those to be expected from the recently added territory. Should the increase of convicts from the territory assigned by law to the Auburn prison, during the present year, be the same as during the last year, there will, at the end of the year, be in both prisons, about fifteen hundred convicts, and thirteen hundred and fifty cells.

Being fully persuaded that the discipline which has enabled the keepers of our prisons to render the labor of the convicts productive, and above all, which has produced the moral reformation of offenders, is entirely dependent upon that feature of the system, solitary dormitories, I respectfully submit to you the propriety of authorising the immediate construction of so many additional cells as may be necessary, until a plan of more extensive enlargement or other relief may be deliberately adopted. The reports of the agents of both prisons, which accompany this communication, will furnish you with important information with regard to the proposed improvements.

I am informed, by the agent of the Sing-Sing prison, that two hundred cells may be constructed there, by adding another story to the present building, or that the number of cells may be otherwise increased, in harmony with the original plan of building. If the interior of the south wing of the Auburn prison should be taken out, a block of five hundred and fifty cells could be constructed within the present exterior walls, corresponding exactly with the north wing. In this event, it would be necessary to enlarge the prison yard and increase the workshops. Whether this or some other alteration should be adopted there, is a question connected with various considerations, and which cannot be satisfactorily determined, without the knowledge of facts which require more time to procure than is probably at the disposal of the Legislature during its present session.

E. T. THROOP.

Albany, March 1, 1830.

LETTER

*From L. Lewis, Agent and Keeper of the State Prison at Auburn,
to his Excellency Enos T. Throop.*

State Prison, Auburn, Feb. 16, 1830.

His Excellency E. T. THROOP.

Sir—The following statement is respectfully presented, in answer to your Excellency's interrogatories of the 11th inst.

The number of convicts received into this prison since the date of the last annual report, is.....	25
Received during the year 1829,.....	170
Discharged during the same period—	
By expiration of sentence,.....	68
By pardon,	27
Died,.....	6
The number of convicts whose terms of sentence expire during the year 1830, is	101
	80

On the subject of enlarging the prison—it is presumed that a measure involving so heavy an expense and such consequences as that of enlarging *the whole prison grounds*, is not contemplated in the interrogatories, and will, therefore, be passed over without remark.

The present enclosure, of five acres, is not too large for the commodious employment of about six hundred convicts. It is my opinion, however, and that of the inspectors whom I have consulted, that the present yard room will possibly admit of an increase of the number to seven hundred, without very materially affecting the discipline or embarrassing our mechanical operations. Any number above this, it is believed, would be highly detrimental, if not destructive, to both.

But the present number of solitary cells is only five hundred and fifty ; and in what way can provision be made for the separate confinement of an additional number of one hundred and fifty convicts?

In answer to this question, I beg leave to transcribe a few short paragraphs from an original draft of the late report of the inspectors, which was intended to be presented to the Legislature, but was afterwards so modified as to recommend, instead thereof, that any surplus of convicts above our present number of solitary cells, should be sent to the prison at Mount-Pleasant. The following is the extract.

"It will be recollect that we stated in our last report, that there were then as many convicts as could be confined separately in the north wing. The increase since that time is sixty-nine. It is scarcely necessary to remark, that the north wing contains all the cells designed for solitary confinement. The agent has, however, by making use of some large cells in the south wing, managed to confine all the convicts separately, until within the last few weeks,

though not without great inconvenience and increased expense. These cells are at length all occupied, and a number of them necessarily with two convicts in each.

"Thus it will be seen, that it is no longer practicable to maintain this all-important feature of the system, without an additional number of solitary cells. And we therefore respectfully but earnestly recommend it to the Legislature to authorise, with as little delay as possible, the building of a new block of cells in the south wing.

"This plan is recommended as at once the least expensive and most expeditious that can be adopted. A great part of this wing is, in its present state, entirely useless, and the remainder so ill-adapted to the purpose as to be used only from necessity. The whole interior, it is believed, may be removed without injury to the external wall or shell by which it is enclosed. This will afford not only a suitable place for the erection of a new block of cells, but also the means of making some necessary improvements in the victualling department, which has all along been attended with very serious inconveniences.

"Although it is not to be supposed that any reasonable demand upon the treasury for a purpose so important, would be an obstacle to its accomplishment, yet it must be deemed a consideration highly favorable to the proposed alteration, that the expense will be very inconsiderable, compared with that of erecting an entire new building. For the external wall or shell, there will of course be no expense; and a part of the materials required for the new interior erections, will be supplied from those which are proposed to be taken down. With these materials and the labor of convicts who would not otherwise be profitably employed, the expense of commencing and carrying forward a block of cells, so far at least as to meet the present exigency, would, it is believed, come within the compass of the agent's means, with the aid of only two thousand dollars from the treasury."

The above extract exhibits the views of the inspectors, as well as my own, as to the practicability and best method of enlarging the prison, and also estimates the expense (exclusive of the labor of convicts) of building a sufficient number of cells "to meet the [then] present exigency."

The cost of each cell is estimated at fifty dollars. The proposed new block will contain from one hundred and sixty to one hundred and seventy cells, and of course will require an appropriation of about eight thousand dollars.

Such a block of cells, in addition to those in the north wing, will contain as many convicts as can be employed within the present enclosure, and leave only sufficient space in the south wing for a mess-room, kitchen, wash-room, chapel, and the necessary store-rooms.

In case the proposed alteration should be made, it will be very important that the eighteen female convicts whose sentences do not expire during the present year, should be removed from this prison; and I would suggest the expediency of removing them to New-York, and placing them with the other female convicts.

Very respectfully,
(Signed) L. LEWIS, Agent and Keeper.

LETTER

From Elam Lynds, Agent and Keeper of the State Prison at Mount-Pleasant, to his Excellency Enos T. Throop.

Albany, 17th February, 1830.

His Excellency Enos T. THROOP,

Sir—In answer to your inquiries respecting the number of convicts in the Mount-Pleasant prison, I answer:

There is now six hundred and three convicts, and there is an average receipt of twenty-five per month; which would give us, on the 17th February, 1831, nine hundred and three men. Allowing the pardons granted at twenty-five, and the deaths the same in proportion as last year, sixteen, together with the number that will leave by expiration of sentence, which is seventy-four, making in all, one hundred and fifteen, to leave the prison during the present year; which deduct from the nine hundred and three, will give us in one year from this time, seven hundred and eighty-eight men to occupy eight hundred cells. This calculation is made without reference to your Excellency's late order, which must increase the number considerably above eight hundred.

There may be no difficulty in getting on for next year; but when our prisons are both filled, what shall we do with the convicts we receive, while cells are building for their accommodation? Permit me to suggest whether it would not be better to construct an additional number of cells at Mount-Pleasant, or alter the south wing of the Auburn prison, the next season, so that we shall be prepared to confine in a proper manner, such convicts as we may receive after the present number of cells are full.

The master mechanics at the prison, estimate the cost of materials for constructing two hundred cells at Mount-Pleasant, at ten thousand dollars. The support of the convicts and the pay of mechanics to superintend the work, would require to be provided for, as the convicts could not earn that while doing the work on the prison, which I should suppose would be equal to twelve thousand five hundred dollars more, for food, clothing, and bedding, for the convicts, and pay of the mechanics.

With sentiments of the highest respect and esteem,

I am sincerely yours,
(Signed) ELAM LYNDs.

IN SENATE,

March 2, 1830.

REPORT

Of the Select Committee, to which was referred the bill from the Assembly entitled "An act for the better security of mechanics and others, erecting buildings in the city and county of New-York," together with the remonstrance of sundry freeholders and builders of said city, against the passage of said bill.

Mr. Allen, from the select committee, to which was referred the bill from the Assembly, entitled "An act for the better security of mechanics and others erecting buildings in the city and county of New-York," together with the remonstrance of sundry freeholders and builders of said city, against the passage of said bill,

REPORTED AS FOLLOWS, TO WIT :

That they have been induced to delay their report until the present time, in order that they might possess as much information on the subject as the nature of the case would admit.

The bill referred to your committee, only extends the benefit of a *lien* to contractors, and sub-contractors, and leaves the journeyman mechanic, and laborer, to depend on the honesty and solvency of their employers, as at present.

The necessity of this act, giving the contractor for the erection of a building, a *lien*, not only on the building which he erects, but on

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the ground upon which it may be erected, has not been made apparent to the committee.

1st. Because the committee have not been able to learn, that any number of cases have occurred, where the contractor has sustained material loss, by the insolvency or fraud of the owner. The committee of the Assembly, to which this subject was referred, declare "that the severe and heavy losses sustained by the mechanic and laboring interests, have arisen far more frequently, from insufficient, reckless contractors, having nothing to lose, than from the owners."

2d. Because the builder, being one of the parties to the bargain or contract, has it in his power to stipulate for payment in advance, or in such portions as the work progresses, as will insure him from loss by the failure of the owner; at any rate, from material loss.

The petitioners for this measure contend, that inasmuch as ship builders and others, have a *lien* upon the vessel for work and materials furnished, the same principle ought to be extended to the builders of houses and other erections. The difference in the cases, however, are, that in the one, the property is moveable, and the *lien* ceases twelve days after the departure of the vessel; while in the other, the property is immoveable and permanent, and the *lien* continues, upon the plan proposed, until the debt is paid. The ship builder has a *lien* upon the vessel, until his bills are paid; but he possesses no *lien* upon the ground upon which she may be erected, while the law under consideration, not only provides for a *lien* on the building, but on the lot upon which it may stand. The same principle, as the committee are at present informed, will apply to all *liens* under the common law, for services performed, or materials furnished, namely, that the subject of the *lien* is moveable and not fast property.

The committee are led to believe, if this bill should pass into a law, that it will prove a source of much expense and trouble, and lead to endless litigation among the parties. The filing in the register's office, the contracts and orders for work or materials, with the affidavit affixed, and the presentation of a certificate of discharge, in which the contractor shall acknowledge satisfaction, before a commissioner authorised to take the acknowledgment of deeds, will not only be expensive, but a source of trouble to the contractor, and vexation to the owner.

The difference which occasionally arises between the owner and contractor, on the construction of the terms of the contract, and on the quality of the work, or materials done or furnished, which in most cases are now settled by amicable reference, will then, as the committee believe, be the subject of a suit at law; and the provision which directs the owner to retain in his hands, out of any subsequent payment due the contractor, the amount claimed by a subcontractor, until they shall settle any difference between them, by litigation or otherwise, if they shall disagree, will, in the opinion of the committee, lead to law suits without number; prove a loss of time and an accumulation of costs, that will swallow up most if not all the profits of the mechanic, for whose benefit this measure is ostensibly intended.

The most serious and alarming evil, however, which the committee are apprehensive would follow the passage of the act in question, is the train it will entail upon the young mechanic of small capital. The natural consequence of a measure, such as this is, will be, to carry nearly all the business to the wealthy and substantial builders, who are enabled to afford to the owner an equal security for fulfilling the contract, to that given the contractor by the *lien*, for the payment of the amount agreed upon.

The petitioners for the act in question have referred the Legislature to a similar law passed by the state of Pennsylvania as a precedent. This law of Pennsylvania, however, only authorises a *lien* on the building, not on the lot on which it is erected, as proposed by the petitioners.

The committee are not informed that any other state, except Pennsylvania, has passed an act such as that alluded to; and a principal object in delaying this report has been to ascertain the operation of the Pennsylvania act, in the city of Philadelphia. The committee are now in possession of that information, which they beg leave briefly to state, as follows:

"On inquiry among our most respectable and *disinterested* citizens, I find there is but one opinion respecting the operation of the *lien* law, and that is, that it is *highly injurious to the best interests of young mechanics, who are masters of their business, but without much capital*. It has thrown the best and heaviest buildings into the hands of the wealthy masons and carpenters, and compelled

the young and enterprising to form numerous partnerships, who have purchased lots or taken them upon ground rent, and erected buildings on their joint account, on speculation ; and after expending all their own small capitals, they mortgage the buildings, and are obliged in very numerous instances, to force a sale or allow the mortgage to be foreclosed, and the property to be sold by the sheriff ; in either case, at a great sacrifice."

Our informant refers us, as proof of the injurious effects of the *lien law* in Philadelphia, to the great number of masons, carpenters, and plasterers, advertising for the benefit of the insolvent law, and states that in one paper of the last year, he found no less than seventy of these advertisements, the most of whom, in his opinion, have been ruined by being compelled, for the want of employment, to build houses, in the hope of covering their expenses by the sale of them. The committee will barely add that the information comes from a source highly respectable, and in which they have implicit confidence.

There is one other point of view, in which the act in question may operate injuriously on the man of moderate means *not a builder*. It has been an every day business almost, with the fire insurance companies in the city of New-York, to loan to persons of this description, who have been enabled, by economy and industry, to save sufficient to purchase a lot in the suburbs of the city, and pay the greater part of the purchase money, depending upon a loan, to enable them to erect a building on it. The premises are mortgaged to the company for the necessary amount ; but, the money is only paid in instalments, as the building progresses. Under the proposed law, however, there will be no safety in the making of such loans, for how shall the company know that the borrower has fully satisfied his contractor ? They can only be safe by having the contract in their own possession ; employing an agent to attend the erection, in order to see that the contract is fulfilled, and by paying the instalments to the contractor instead of the owner, as they become due. This they cannot be induced to do, and money will not be so loaned, should the proposed law pass. Persons, such as have been described, will not be able to improve their property ; the number of erections will be reduced, and the man of small means will be seriously injured.

If this act is to operate in New-York as it has in Philadelphia, ruinous to the young and enterprising mechanic, preventing him from

coming in competition with his wealthy neighbor, and compelling him to continue, during his life, in the capacity of a journeyman, or to resort to means of speculation, in the hope of raising his drooping fortunes ; and if it is not only to bring this serious injury upon mechanics, but to prevent the man of small means from effecting loans that will enable him to provide a dwelling for his family ; and if in this way it is to retard in a measure, the improvement of the city, with the other inconveniences enumerated, ought the bill to pass ? The committee are unanimously of opinion that it ought not ; and they therefore report against the passage of said bill.

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IN ASSEMBLY,

March 1, 1830.

REPORT

From the Comptroller.

Extract from a report of the Comptroller, made on the 1st March, in pursuance of a resolution, requiring "copies of the lists furnished by the several banks of the city of New-York, showing the residence of the stockholders of said institutions not residing within the county of New-York, with the amount of stock helden by such stockholders, and their residence respectively."

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of New-York in the year 1823
 he state, and owned by the state,
 said Banks, on file in this office.

State.	Amount owned by the people of the State of New-York.	Total Capital.
00	.....	\$2,000,000 00
00	\$180,000 00	1,490,000 00
00	.....	965,000 00
00	60,800 00	2,049,500 00
00	.....	1,000,000 00
00	.....	600,000 00
00	.....	500,000 00
00	.....	500,000 00
00	50,000 00	2,050,000 00
00	.....	1,588,700 00
00	.....	500,000 00
00	290,800 00	\$13,243,200 00
00	.....	2,000,000 00
00	180,000 00	1,490,000 00
00	.....	1,000,000 00
00	60,800 00	2,031,200 00
00	.....	1,000,000 00
00	.....	480,000 00
00	.....	500,000 00
00	.....	500,000 00
00	50,000 00	2,050,000 00
00	.....	1,250,000 00
00	*10,000 00	510,000 00
00	.....	1,500,000 00
00	.....	500,000 00
00	.....	750,000 00
00	.....	700,000 00
00	\$300,800 00	\$16,261,200 00

IN ASSEMBLY,

March 3, 1830.

REPORT

Of the Attorney-General, on the petition of Gideon Castle,

The Attorney-General, to whom was referred, by the Assembly, the petition of Gideon Castle,

RESPECTFULLY REPORTS :

That the petitioner represents, among other things, that in the year 1807 he purchased of Orremel Gipson, who was the nephew and only heir at law of Robert Gipson, lot number ninety-seven, in the town of Camillus, for which a patent had been issued to said Robert Gipson, in the year 1790; that the petitioner took possession of the lot and sold it out to different persons, excepting two pieces, one of fifty, and one of six acres, which the petitioner, in the year 1814, leased to Gilbert Rose and his wife, for their lives, reserving an annual rent of one bushel of wheat; that in the year 1819, ejectments on the demise of the people of the state of New-York, were brought against said Rose, who made no defence; that the petitioner, being apprised of the ejectments, made an arrangement with the Attorney-General (Mr. Oakley,) to take the affidavits of witnesses to the title, and that the Attorney-General agreed to abandon the suits brought against the settlers on the lot, upon receiving satisfactory evidence, by affidavits, of the title; that the petitioner procured the necessary affidavits, and delivered them to Mr. Oakley, about the month of May, 1820, who declared himself perfectly satisfied that the petitioner had the title to the lot, and promised to abandon the

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suits ; that the petitioner, until the spring of the year 1828, supposed the suits had been abandoned ; but in June of that year, he was informed that the lands included in the lease to Rose and wife, were advertised for sale by the state, and he has since learned that they were sold for the sum of nine hundred and ten dollars ; that Mr. Oakley has informed him that the affidavits were lost or mislaid, and that judgments had been perfected in the suits by mistake ; that but for the arrangement with the Attorney-General, he should have defended the suits, and has no doubt he could have done so with success ; and he prays a law for his relief, and that he may be paid the sum for which the fifty-six acres of land sold, with the interest thereon. Accompanying the petition, is an affidavit of James Herrick, going to confirm the statements of the petitioner, in relation to what took place between him and the Attorney-General. There is also a quit-claim deed of the lot in question, dated the third day of November, 1807, from Orremel Gipson, (who therein claims to be the heir at law of the soldier,) to the petitioner, and it appears that the petitioner paid the taxes on the lot for several years. The evidence submitted to prove that Orremel Gipson was the heir of the soldier, is not of a very satisfactory character ; but the petitioner alleges that he fully proved his title by the witnesses who made affidavits, most of whom are now dead. Those affidavits are probably in the hands of Mr. Powers, who was the agent of the state in relation to escheated lands in the military tract.

From the register of Mr. Oakley, and papers and proceedings in the public offices, it appears that Robert Gipson was a soldier in the war of the revolution, and died in service, in the year 1778. A patent was issued in his name for lot number ninety-seven, in the town of Camillus, bearing date the thirteenth day of September, 1790, which was delivered to Robert Wilson, as his administrator. In September, 1819, actions of ejectment were brought against the several occupants to recover the possession of the lot, upon the ground that it had escheated, by the death of the patentee without leaving heirs capable of inheriting the estate. The suits were afterwards consolidated, and the tenants appeared by their attorney and pleaded ; and in May, 1820, confessed a judgment, which was perfected in September following, and a writ of possession was executed in the month of October of that year. On the 18th day of November, 1820, the Attorney-General reported the recovery of this lot to the commissioners of the land-office : and on the 8th day of July, 1828,

several parts of the lot were sold by the Surveyor-General: two parcels marked with the name of Gilbert Rose, one containing fifty, and the other, six acres, were sold to Joseph W. Maynard; the first for eight hundred and sixty, and the second for thirty-seven dollars, making in all, eight hundred and ninety-seven dollars. It further appears, that a suit was at the same time brought for the recovery of lot number thirty-five, in Camillus, also claimed by the petitioner; which suit was discontinued in the year 1820, but in what month does not appear.

Among the papers accompanying the petition, is a letter from Mr. Oakley to one of the members of the Assembly, dated the 2d day of February last; in which he states, in substance, that suits were commenced for the recovery of two lots in the military tract, with a view to recover them as escheated land; that Gideon Castle represented that he had some right or claim to the lots, and engaged his son-in-law, Mr. Herrick, to procure evidence of the fact, that the soldier had not died without heirs. That several affidavits were procured relative to one of the lots, which were considered satisfactory; but as they had been taken *ex parte*, and as he knew nothing of the characters of the persons sworn, he did not deem it proper to act upon them: that the affidavits were handed to Gerahom Powers, Esq. the agent of the land-office, to inquire into the facts, and report to the Attorney-General, but were never returned: that the suits were not suspended or discontinued, and that judgments were finally obtained against all the tenants; that he cannot now say with certainty to which lot those affidavits related, though his impression is, that it was the Gipson lot.

It will be seen that this statement differs in a material point from the representations of the petitioner: and it is not improbable that the petitioner either misapprehended the conversation with Mr. Oakley, as amounting to an unqualified agreement to discontinue the suits, or that such agreement related to the suit for lot number thirty-five, which was, in fact, discontinued.

The petitioner does not state that he made any inquiry, either about the suits or the land, during the seven or eight years that elapsed between the time of delivering over the affidavits and the sale of the land by the state; but he says, that he "supposed, until the spring of 1828, that the suits had been abandoned." There are two affidavits on the files of the land-office, which bring into doubt the correctness of this allegation, although they do not directly

prove that the petitioner knew of the judgment before the period he mentions. The affidavits were made by Gilbert Rose and Henry M. Pulver, in January, 1822, on applications made by them to the commissioners of the land-office for grants of the fifty-six acres of land in question, upon the favorable terms allowed by law to the occupants of escheated lands. Those affidavits are herewith submitted.

The petitioner admits that he was informed, in June, 1828, that the land in question was advertised for sale by the state; but he gives no reason in his petition why he did not then apply to the Surveyor-General or the commissioners of the land-office, to correct the error of which he now complains. Had such an application been made, there can be little doubt that the sale would have been suspended, until the petitioner could have moved the supreme court to vacate the judgment, and allow him an opportunity of trying the validity of his title.

It may be proper, however, to say, that the petitioner has made some verbal explanations, tending to obviate the difficulties that have been suggested in relation to the justice of his claim. Should the Legislature deem this a proper case for affording relief, it is submitted that no interest ought to be allowed; for the reason that the land was leased to Rose and wife during their lives, at a rent nearly nominal, and the petitioner was not entitled to the possession of the estate, and consequently could sustain very little injury until after the death of the lessees. And, for the same reason, he should not be allowed the full value of the land at the time it was sold, but only such sum as the annual rent of a bushel of wheat and his reversionary interest were worth.

Respectfully submitted,

GREENE C. BRONSON,

March 3, 1830.

Attorney-General.

IN ASSEMBLY,

March 3, 1830.

REPORT

Of the Committee on Agriculture, on the resolution
of the House calling for information relative to
hemp.

The standing committee on agriculture, who were required by a resolution of the house to inquire into the expediency of making provision for encouraging the growth of hemp within this state,

RESPECTFULLY REPORT—

It is generally conceded that the increase of sources of industry and profit, by a spirited attention to the great variety of productions to which our soil and climate are adapted, is beneficial not only to agriculturists but to community at large,—every interest being at all times dependent on agriculture for subsistence; and government itself must in emergencies at any rate, place great reliance upon the yeomanry of the country, from their moral as well as numerical power.

The inquiry your committee are called upon to make merits much notice, as it refers to an agricultural product not extensively cultivated in this state, and which at the same time forms the material for a large amount of American manufactures, besides annual importations amounting to nearly three millions of dollars. Your committee have directed their attention chiefly to the following considerations:—The adaptation of our soil and climate to the growth of hemp—the relative intrinsic value of Russian and American hemp, and their relative price in market—whether hemp may be ex-ten-

sively cultivated in this state without diminishing its present staple products.

Did not actual experience convince us that our climate suits the hemp crop, the fact that it is raised in great quantities in a much higher latitude, also in much warmer climates, would argue that this must be a proper medium. This state possesses as great a variety of soil as can belong to any country—from the strong clay and gravelly lands, best adapted to our chief staple, wheat, to the rich loam and alluvion most congenial to products of a rapid growth, embracing all the varieties of summer crops, and to this latter class belongs hemp. Various experiments to test the relative strength of Russian and American hemp, and among others those recently made at one of the American naval stations, give the American hemp a superiority of twenty per cent in natural strength, and notwithstanding this fact, Russian sells seventy per cent higher than American hemp. This difference is attributed entirely to an imperfect or injurious process made use of by our farmers after the crop is harvested, in preparing it for the manufacturer. In regard to the last general inquiry to which your committee have directed their attention, whether hemp may be extensively cultivated in this state without lessening its present staple products, they would remark, that so far from hemp being considered as impoverishing to the soil, it is not unfrequently cultivated on high lands, as preparatory to a wheat crop, and has this advantage over many products, that it succeeds well on wheat land, but is best adapted to rich loams or alluvial soil, on which the culture of wheat is very precarious. And it may be worthy of notice, that in a large section of the state this latter class of soils will constitute every year an increasing and very important proportion of the quantity of land which is subdued and made productive, not only from extensive operations directed by the legislature in reclaiming the low lands known as the Cayuga marsh, but our individual farmers are now making arable their own lands of the same character, by draining, from which object they were deterred on the first settlement of the country by their limited means, and induced to apply their labor to lands more easily made productive, and with a view to a more speedy profit. The United States pay annually more than one million six hundred thousand dollars for foreign hemp in an unmanufactured state, besides an enormous amount for goods and shipping materials made of this article. The hemp crop is said to be abundant in its yield, and might be very profitable to the cultivator, could some improvement be made in the mode of

preparing it for the manufacturer, to make the American equal to the imported hemp, which its natural strength fully warrants. Our farmers from a peculiarity of circumstances, are seldom attracted by novelty within the sphere of their own pursuits, and are generally opposed to innovation on systems of husbandry which have heretofore afforded them a support if not profit. This is owing to their being generally their own labourers, the tillers of their own land: poor dependents are not to be employed in this as in other countries for a mere pittance, but he who hires a laborer always pays the full value of his services, and generally more than the profits of the labor performed will justify.

This state of things, though it conduces not a little to elevate the character of New-York farmers, both in a physical and moral point of view, has also the effect to attach them strongly to old practices and old systems, from a fear of misapplying their labor, to them so valuable, on any change in husbandry, the result of which is involved in more than usual uncertainty.

Your committee, after a careful reference to all the facts that bear upon this subject, are of the opinion that it is deserving of legislative notice; and since nature has provided us with the means of raising hemp equal in strength and durability to any in the world, a bounty from the state may be profitably applied to bring into action the enterprise and ingenuity of her citizens, in devising some cheap and effectual mode of preparing our hemp for the manufacturer, to make it of equal value with the Russian hemp, and in a few years to supply our manufacturers, and thereby retain in the country the large sums of money which we now annually pay for the imported article. They accordingly recommend the same—and have directed their chairman to ask leave to introduce a bill for that purpose.

IN SENATE,

March 3, 1830.

REPORT

Of the Superintendent of Common Schools, in relation to the Central Asylum at Canajoharie, and the New-York Institution for the Instruction of the Deaf and Dumb.

The Secretary of State, to whom the Senate referred the memorial of the directors of the Central Asylum at Canajoharie, for the instruction of the deaf and dumb, and also the annual report of the New-York institution,

RESPECTFULLY REPORTS :

I. *As to the Central Asylum at Canajoharie.*

The petitioners ask for such pecuniary aid as the Legislature may deem fit and proper to grant: and the printed bill which is attached to the memorial, contemplates an appropriation of \$4,500, to be applied in erecting a suitable building or buildings for the accommodation of boarding and lodging the pupils, and for enlarging the present building for instruction. And further, that said school may be permitted to receive from each senatorial district, four indigent pupils, at the yearly rate of ninety dollars each, instead of two from each district at eighty dollars each, as now provided by law.

There are two points having a material bearing upon this subject, which ought to be considered and decided by the Legislature, before the grant is made for the erection of permanent buildings for the Central Asylum: and these are, first, whether it is necessary and expedient to erect and maintain two schools for the instruction

of the deaf and dumb in this state: and if so, second, whether the Central Asylum is judiciously located.

So far as the experience and example of other states, in regard to this description of schools, is to have an influence upon this question, it would be in favor of concentrating the patronage of the state, and building up one good school, instead of keeping alive two schools, indifferently supplied with teachers, and circumscribed in all their useful operations.

The states of Maine, Massachusetts, New-Hampshire, Connecticut and Vermont, have provided by law for supporting and educating their indigent mutes at the American Asylum at Hartford, instead of erecting separate schools in each state. The state of Pennsylvania has one school; and the state of Maryland has made provision for sending this class of its population to that school, in preference to building an asylum. If it is best for the interests of the deaf mutes, and if it is good economy for several distinct and independent states, to unite their patronage and direct their efforts to the support of a single institution for the education of the deaf and dumb, then it would seem reasonable to infer that it must be injudicious for this state to divide its patronage between two schools.

In the report of the committee of the Assembly of 1829, which is among the papers referred, it is estimated, that of the six hundred and twenty-five deaf mutes in the state, as ascertained by the census of 1825, three hundred and twenty-two were then within the proper ages for instruction, and that the number has since increased. Admitting this estimate to be entirely correct, and does it warrant the inference which the committee seem to draw from it, as to the expediency of two schools? In making permanent provision for the instruction of this class of our population, it is only necessary to provide for the ordinary annual increase of the deaf and dumb. It is justly remarked in the eighth annual report of the directors of the American Asylum at Hartford, that "the multiplication of schools for the deaf and dumb, would be attended with an expense which would be so great as to result, at last, in the entire abandonment of them to their native and hopeless ignorance." "It might seem indeed, at first sight, to justify the establishment of such a school in any section of the country, that one hundred deaf and dumb persons were found within it. But these one hundred have been accumulating for fifty or sixty years. Many of them are too young,

and some too old, to be instructed. Other causes too, will prevent many from attending the school. But even supposing that the one hundred were all assembled, and in the course of a few years educated, it is obvious that afterwards provision would have to be made only for the annual increase of the deaf and dumb. It is for this only that permanent institutions need to be established. Just as our common schools are necessary, not for the whole population, but only for the rising generation." "It will be found that the annual cases of deafness and dumbness, whether at birth, or from any subsequent cause, bear a very small ratio to the whole number of deaf and dumb persons, within any district of country."

The principal teacher of the Pennsylvania institution, in an address delivered at Washington in 1828, states, that in twenty-five counties in Pennsylvania, it appeared by the census of 1820, that among the whole white population, the proportion of the deaf and dumb was precisely one to every two thousand, and in regard to the whole population of the state, this proportion holds very nearly. It is estimated in the same address, "that in a population of a million, after making all due allowances, about sixteen only will annually become suitable subjects for instruction."

In the state of New-York, it is ascertained by the census of 1825, that the proportion of the deaf and dumb was one to every two thousand five hundred and six, of the whole population, showing that in this state, the whole number of deaf and dumb is one hundred and sixty-three less than the ratio assumed in the address alluded to; and thus adding strength to the position of limiting the number of schools.

But on the subject of providing for the instruction of the present number of the deaf and dumb, as well as for the annual increase, we are not left to conjecture. The actual experience in Massachusetts is strikingly in point. That state, soon after the establishment of the American Asylum, made provision for the education of twenty or twenty-five mutes. In 1826, the number was increased from twenty-five to fifty. In 1829, the provision for instruction was renewed and extended, and it appears by the message of the executive of that state, that "although every degree of publicity has been given to this munificent act, accompanied with a solicitation to the friends of persons who were within the intention of the bounty to present them for admission to its benefits, yet but ~~NINE~~ applications have been preferred during the year. The number being so unexpect-

edly small, upon the recommendation of the faculty of the institution, twenty-three of the class whose term was about to expire, and who were most distinguished for talents and proficiency in acquirements, were permitted to remain another year. The whole number now at the asylum on the charge of the state is *forty-five*, less by eleven than might be supported under the appropriation. There is good reason, from many circumstances, to believe that when these shall have completed their course of pupilage, the whole deaf and dumb of the commonwealth, of suitable age and capacity to be taught, will be educated. The average number of new pupils annually, will not probably exceed from *five* to *seven*."

In 1820, Massachusetts had a population of 523,000, which on the ratio of one to two thousand, would give two hundred and sixty-one mutes. Of this number, forty-two had been instructed for four years each, and had left the asylum prior to 1829, and fifty-four were at school in that year. Here it would seem, that in ten or twelve years, ninety-six were instructed, out of two hundred and sixty-one, and this having nearly exhausted the mutes who had accumulated before any system of teaching them had been devised, the annual increase, or the number requiring the benefit of the provision for instruction, was found to be only *nine*, and it is estimated that when the accumulation is entirely exhausted, that the annual increase of the number will be reduced to from *five* to *seven*.

Estimating according to the data which is furnished by the experience of Massachusetts, and it might be expected that out of the six hundred and forty-five mutes in the state of New-York, two hundred and thirty-seven would require instruction; and that after these were educated, the number annually requiring instruction would be *twenty-two*.

It appears by the report of a committee of the Senate in 1827, that 177 scholars had been received into the New-York school, and 55 into the Central Asylum, prior to that date, giving a total of 232. The New-York school had been about ten years, and the Central Asylum about four years, collecting and instructing this number of scholars. It may be true, that if more ample provision had been made for gratuitous instruction, a greater number would have been sent to the schools. But it is not probable that any enlargement of the provision for instruction would have increased the number to such an extent as to have any material bearing, in the decision of the

question as to the necessity of having one or two schools in the state.

It will be seen by the census of the deaf and dumb annexed to this report, and marked A, that 387 out of the 645, support themselves, and that 258 are supported by charity: Of the former, many are undoubtedly able to pay for tuition in whole or in part: an enlargement of the provisions of the law would not increase the number of scholars from the class of those whose parents are of sufficient ability to pay for tuition themselves; as the law extends only to those in indigent circumstances, or to so much of the expense as the parent is unable to pay. There has existed since 1822, a provision which authorised the supervisors of the several counties to send to the deaf and dumb school at New-York, a number of scholars equal to their number of representatives in the Assembly, and to levy a tax upon the county to pay the expense. If there had been any considerable number of children of suitable age and capacity to be instructed, it is to be presumed that benevolent individuals in all the counties would have been found to interest themselves in procuring the aid here contemplated. Although the boards of supervisors would be cautious in adopting a resolution to tax their counties, still it is fair to believe that they would not hesitate in a case where the child was of suitable age and capacity, and its parents were in destitute circumstances. It is fair therefore to infer, that the numbers in this situation are not very numerous beyond those already provided for.

The facts and opinions which have been alluded to, give the strongest assurance that one school, well supported, and furnished with competent teachers, would be abundantly sufficient for the present and future wants of the deaf and dumb in this state.

In relation to the location of the Central Asylum at Canajoharie, the Superintendent feels bound to reiterate the opinion given in answer to a resolution of the Assembly in 1828, and which is to be found on the Journals of that year, page 691. The present site is at Bowman's creek, between the two great western stage routes, and is so situated, that scholars who are sent to the school in charge of persons travelling from the interior to Albany or New-York, on either of these great routes, are necessarily left in the hands of strangers several miles from the school. To obviate this objection, the friends of the present site say, that it is "one-third of a mile from and in fair view of a stage road leading from Cherry-Valley to the Erie canal."

This, however, is a cross route from one to the other of the two great western stage routes, and does not obviate the objection.

Another objection is, that the school is located where the population is so thin that there is not a sufficient number of men who can give their attention to the school, to form even a board of directors. The school therefore cannot have that regular supervision and attention which it ought to have, and which might be expected, if it was located at a place as populous as many of our flourishing western villages.

Another important object of establishing a school for the instruction of the deaf and dumb in the vicinity of a place where business in all the various pursuits of life is carried on, is the fact that this class of scholars are instructed by objects presented to the eye. By increasing the variety of these objects, additional facilities are afforded for conveying instruction to the mute.

The committee of the Assembly of last year combat this objection by saying, "the object of educating the deaf mutes is not to fit them for statesmen or rulers, nor for any of the learned professions, but it is to fit them for transacting the ordinary business of life." "After their education shall have been completed, their lives will be most probably spent in the pursuits of agriculture or the mechanic arts, and generally in the humble walks of life among their friends in the country ; their education therefore should be directed to these objects."

The object of educating the mute is to learn him the use of language; to instruct him in reading, writing, arithmetic, &c.; and the point is, not as to the station which he shall occupy in life, but as to the best means of conveying information to his mind. If this was a question as to the kind of studies which the deaf and dumb should pursue after they had learned the ordinary branches of education which are necessary in all trades and professions; then it might be urged that their attention should be directed to such studies as would be most useful to them in the pursuits of after life. This is purely a question as to the best means of conveying information to their imprisoned minds, deprived as these scholars are of hearing and of speech, and the greater variety of objects which can be presented to their view, the greater is the field of information afforded to them. The collections in the museums, and the great variety of arts and trades, which are common to our principal villages, all furnish faci-

ties for giving information to the mute. These advantages would be useful to scholars possessing all their faculties; to the deaf and dumb, they are, in a measure, indispensable.

These schools are under the patronage of the state, and ought to be reasonably accessible to such of our citizens as might desire to visit them as public institutions. They should also be surrounded by some men of leisure who can give their attention to the supervision of the school. This care and attention has a tendency to encourage the teachers as well as the scholars, and aids in giving the public a favorable opinion of the school, and a just idea of the usefulness of instructing this unfortunate class of our population.

The location of the Central Asylum at Bowman's creek, was made without any particular investigation as to the advantages or disadvantages of the site. The fact that 20 or 30 mutes resided in that vicinity, induced the parents and neighbors of these unfortunate children to apply to the Legislature in 1823, for an act of incorporation, which was readily passed; and this was accompanied with a grant of \$1,000 in aid of the school. The site was entirely at the option of those who applied for aid, and in this way the location of an important public institution, which should have been governed by the interests of the deaf and dumb and the public accommodation, was influenced, in a great measure, by local causes.

In January, 1828, the Superintendent visited and examined the deaf and dumb school at Canajoharie. The scholars exhibited a good degree of proficiency in the common branches of education, and their countenances gave clear indications of health, happiness and intelligence. The exercises of the scholars were written down and are given in the paper marked B. The superintendent had then recently visited the Hartford, New-York and Philadelphia schools, and pursued the same course of examination in the Central Asylum as in the other schools. The scholars at the Central Asylum passed as good an examination as those at the New-York school. Those who wish to make a comparison are referred to the report of the Superintendent, in the Senate Journals of 1828, appendix D. The state pays for the support of each scholar at Canajoharie, 80 dollars, and at the New-York school, 150 dollars annually, for each scholar. The total amount now paid to the New-York school, out of the treasury, is \$4,800 per annum, for thirty-two pupils, and to the Central Asylum \$1,280, for sixteen pupils. These payments are

made in pursuance of the provisions of chapter 166, Session Laws of 1825, which law expires on the first of May, 1831.

In view of all the facts and circumstances connected with this case, the Superintendent is decidedly of opinion that it is not advisable to make a grant for the erection of permanent buildings for the use of the deaf and dumb, to be located at Canajoharie. He is also of opinion that the New-York asylum is sufficiently large to contain all the deaf and dumb who will attend school. This building will accommodate from 150 to 200 scholars, and the state has paid \$10,000 towards its erection. It is hoped and believed that the directors of this institution will procure an additional number of well qualified teachers, and place the school as they now have the power of doing, upon as good a footing as either of the schools at Hartford or Philadelphia; and when this is done it is believed that it will be for the best interests of the deaf and dumb, as well as good economy, to concentrate the patronage of the state, and the efforts of individuals, in building up one good school.

It is a matter of justice to say, that the money paid to the central asylum, has been usefully and economically applied.

II. *As to the New-York institution for the instruction of the deaf and dumb :*

It is made the duty of the Superintendent of common schools, by Title 3d, of Chapter 15, to inquire into the expenditures, the system of instruction, and generally as to the situation of the schools for the instruction of the deaf and dumb, in this state, and "to make an annual report to the legislature, on all the matters before enumerated, and particularly as to the condition of the schools, the improvement of the pupils, and their treatment in respect to board and lodging."

In pursuance of the injunctions of this statute, the Superintendent visited and inspected the school for the deaf and dumb in N. York, in October last. The building which has been erected for an asylum, is about $3\frac{1}{2}$ miles from the City-Hall, and $1\frac{1}{2}$ miles from the suburbs, and about mid-way between the East and North rivers. The building is 110 by 60 feet, and has an elevation of three stories above the basement. The principal teacher has rooms for the accommodation of his family; and the other teachers, the matron and the steward are also accommodated with rooms. The lodging

rooms are airy and pleasant, being in the third story ; those for the males in one end, and for the females in the other ; separated by partitions and intersecting rooms for teachers. There is a common dining room, where all the scholars assemble for their meals in company with the teachers, steward and matron. The accommodations of the scholars "in respect to board and lodging," appeared in all respects calculated to promote their comfort and health, and were such as to give entire satisfaction. The paper marked C, contains an examination of two of the classes in the school : these exercises were copied from the slates of the pupils by the Superintendent. There was an evident improvement in the arrangement and discipline of the classes in charge of Messrs. Loofborrow and Gazlay, since the former examination. In Miss Stansbury's class there appeared to be a want of that discipline which is necessary in every well ordered school.

Among the rules which have been published by the directors of the asylum, is one in the following words : "The state pupils shall be required to engage in such occupations, employments and mechanic arts as may be reasonably required of them by the directors, during the hours they are not engaged in their studies, but for other pupils the consent of the parents shall be first obtained."

Why is this distinction ? The directors receive 150 dollars per annum for each state pupil, and there is no reason, so far as the directors are concerned, why these children should not be put upon a footing of equality with those who are supported by the ladies' society, the corporation, or by their parents. And is there any reason why the wishes and feelings of the parents of state pupils should not be consulted in regard to all matters connected with the welfare of their children, about which it is deemed necessary to consult the parents of other children ? There is no harm in requiring all the children, out of school hours, to work in the garden or at other work. The labor is not grievous, but the distinction is odious. In all the intercourse of life, there is no place where partialities and distinctions, work so great an injury, as in a school of any description. All our schools ought to be established upon such principles as to bring the children together upon a footing of perfect equality ; and the only distinction recognized, should be for good behaviour and scholarship. At the school established by the mechanics' society in the city of New-York, (and it is one of the best regulated schools in the state,) a few orphan children, or those belonging to poor me-

mechanics, are instructed gratuitously ; but instead of putting a mark upon them, they are treated in all respects like the other scholars, and their dependent situation is not known to the rest of the school. There is in this, a benevolence which does not wound the object on which it operates ; and a kindness of feeling, which does great credit to the enlightened liberality and just principles of the members of that society. One of the best features in our common school system is, that the children of the rich and the poor are brought together upon a footing of equality, sharing alike in the public money ; and if any one is released from the payment of teachers' wages, he is exonerated by the trustees, after the school is closed, so that no discrimination can be known during the term of the school.

By an act passed in 1827, (chap. 97 of that session,) it was made the "duty of the Superintendent of common schools, to inquire into the system of instruction" pursued in the New-York school ; and to "ascertain by a comparison with other similar institutions, whether any improvement can be made, and for that purpose to appoint such and so many persons as he shall from time to time deem necessary, visitors of the said schools."

In pursuance of the provisions of this law, the Superintendent, in the months of September and October, 1827, visited and inspected the schools for the instruction of the deaf and dumb at Hartford, New-York and Philadelphia : In this service he was accompanied by Mr. Dillingham of Pittsfield, a gentleman who is not only well versed in the system for teaching deaf mutes, but who has devoted much attention to the business of instruction generally, and is in all respects one of the most skilful teachers in the United States : Mr. Dillingham made a report on the subject of the mode of instruction practised at the several schools, on which the fullest reliance may be placed ; which report is contained in appendix D, of the Senate Journals of 1828, and to which the Senate is respectfully referred.

The New-York institution has now an asylum building, in all respects as commodious as the one at Hartford or Philadelphia, and the time has arrived, when in the opinion of the Superintendent, it is of the first importance that a reform in the system of instruction should be introduced : It would afford a strong additional inducement to the consolidation of the two schools, and the concentration of the patronage of the state, if the New-York institution, in its system of instruction, was upon as good a footing as the schools at Hartford and Philadelphia.

There is among those who have the immediate charge of the New-York school, a pertinacity on this subject, which is to be regretted, and which presents a strong barrier to the introduction of any improvements. Although they insist that the art of teaching mutes can be learned sufficiently from books, and that their teachers have thus instructed themselves ; yet it is known that at the commencement of their school, they employed as a principal teacher, a person who had been engaged for one year to take charge of the domestic concerns of the American Asylum at Hartford, and who had nothing to do with the business of instruction there : Aided by this person, and by the works of the Abbe Sicard, the teachers and the pupils have made as great proficiency as could have been expected under the circumstances.

The school at Hartford was commenced in a different manner. Mr. Gallaudet spent six months in the institution in Paris, receiving lectures from Massieu and others, and then associated with him Mr. Clerc, who had been eight years a pupil, and seven years an instructor in the Abbe Sicard's school. This is a brief history of the commencement of these two schools, and on this state of facts will any man who admits the connection between cause and effect, hesitate to believe that the Hartford school, commencing with an instructor who had been trained for 15 years to that peculiar mode of teaching, must be much superior to the New-York school, whose teachers had not been trained at all, but had every thing to learn from books ? Those connected with the New-York school, insist that there is no mystery in teaching the mute ; that a person of good sense and common industry, by studying the works of Sicard, can make himself a competent teacher, and that their teachers have instructed themselves and are fully competent to teach others. They are not willing to admit that any alteration is necessary in their system of instruction ; and hence arises the great difficulty of introducing any improvement.

It will be conceded, however, that there is more mystery or intricacy, in teaching those who have lost their hearing and speech, than those who are in possession of all their faculties ; and it will not be denied that the training of teachers would be highly beneficial even in our common schools. If our citizens in any of the counties were desirous of transferring the system adopted in Dr. Griscomb's high school, to any of the towns in the country, what would be the course adopted to effect this object the most readily, and the

most certainly? Would they get his manual, and require the teacher to learn the system from the book, or would they send the teacher to acquire his information from seeing the operations of the school, and associate with him those who had been trained as teachers in the school? A person of good sense and industry would learn much of the system from the book, and would be able to instruct his pupils to a considerable extent; but the question is as to the best mode of getting the system of instruction the most readily and the most effectually? And if personal instruction would be useful in so plain a matter, then it must be much more important, if not indispensable, in acquiring the system of teaching the deaf and dumb.

There is no longer any mystery connected with the art of printing: But if a person desired to build up an establishment, would he employ an experienced printer; or would he purchase materials, procure a printer's grammar, and attempt to instruct himself, and to teach his apprentices the art and mystery of printing, aided by the book, and his good sense and common industry? That he would get along by slow degrees, and eventually learn something of the art, is not to be questioned; but is this the mode recommended by usage and common sense? Would it not be wiser and better for him to spend five years in obtaining the trade, of those who had learned it before him, than in endeavoring to acquire it for himself, and those under his tuition, by the aid of books, and his own unassisted efforts?

If it was desired to teach a company of men the manual exercise, would it be accomplished the most readily by requiring their commanding officer (himself untaught) to read the school of the soldier, and then learn it to his men? Or would their progress be most accelerated by placing them under the tuition of an experienced drill sergeant, who had learned by actual experience, and made himself familiar with every movement and every motion? If this course would be beneficial in teaching persons of mature age and possessed of all their faculties, merely mechanical motions; how much more important must it be to have persons who are well trained to the business, in order to communicate information, in the most successful manner, to the imprisoned mind of the deaf mute.

It is conceded that the teachers of the New-York school have accomplished much; more indeed than could have been expected with their opportunities. But an error was committed in the manner of commencing the school; and a zeal which would have accomplished

great good for the deaf and dumb if it had been directed in searching out the right path, has been wasted in defending the error which was committed at the outset.

If improvements can be obtained from other schools, they ought to be sought after and thankfully received. It is the unfortunate mutes of the present and of future generations, who are interested in this question : and personal altercations, and professional pride of opinion, sink into insignificance, when placed in competition with the great object of elevating this benighted portion of our population to the rank of useful and intelligent members of society. This school has received \$54,000 directly from the state treasury, and \$27,000 from licenses to lottery venders, making a total of \$81,000. There is annually paid for the support of the school, in pursuance of legislative enactments, about \$8,700. There has been at all times a liberal spirit manifested by the Legislature, in giving aid and instruction to such of the mutes, as had poverty superadded to their otherwise forlorn condition. Is this kind feeling and commendable liberality on the part of the Legislature, and which pervades the whole community, to be disappointed and checked, by a failure to accomplish the utmost good which is attainable in teaching the deaf and dumb? If there is only a faint hope of accomplishing a little more than is now done for the benefit of that class of children, it is imperative upon those who have charge of the school, to make the trial. These children are instructed only for four years; not half as long as children possessing all their faculties are generally allowed to get a common education; every moment therefore is precious to them, and every additional facility which can be afforded, is of vital importance.

The Pennsylvania institution for the deaf and dumb, was commenced under a self instructed teacher. But the directors of that school in 1821, discarding all local feelings, and actuated solely by a regard to the best good of the deaf and dumb, applied at once to the Hartford school, and induced Mr. Clerc to spend a few months in organizing their school; giving lectures to their teachers; and in this way, and by procuring experienced teachers from the American Asylum, the school was at once placed upon elevated ground. This is a precedent worthy of all acceptance, and one which the directors of the New-York school might beneficially imitate. The promised advantages are worth the trial.

The directors of the New-York institution passed a resolution in 1829, requesting, among other things, that their secretary and teachers should report to the board "their views in relation to the report of the Secretary of State, made to the Senate towards the close of their session in April 1828." The secretary of the institution, in giving his views, selects the specimens of one of the Hartford pupils, and says in relation to them—"I have been too long conversant with mutes to consider them as genuine examples, and I am therefore inclined to believe that Mr. Flagg has been imposed upon. My belief is founded upon the fact, that the youngest scholar has given the best specimens of composition; that these specimens are without the least appearance of deaf and dumb idiom, and written so correctly, that no deaf mute of two years instruction, could possibly have composed them." That the scholars in all the schools may have written sentences which they recollect, and which they had written before, is by no means impossible: but that the specimens given by the pupil alluded to, are as genuinely his own, as the examples given in any of the schools, does not admit of the least doubt in the mind of the Superintendent. The pupil whose efforts have been called in question, was remarkably quick of perception, and probably had learned as much in two years, as some do in four.—This is no uncommon occurrence among scholars possessed of all their faculties; and more than this, the high and honorable character of the persons connected with the American Asylum, forbid the idea that they would contrive or tolerate an imposition of the kind; and it is to be regretted that the directors of the New-York school should sanction an unkind and uncharitable insinuation against the conductors of a neighboring school, without the slightest pretence for it.

But the exercises of the pupils in writing sentences embracing certain words, was only one branch of the comparative examination which was made by the Superintendent. In order to ascertain how thoroughly the more advanced scholars were instructed, and to compare one with the other, the Superintendent held a conversation, in writing, with George W. Loring of the Hartford school, J. H. Gazlay of the New-York institution, and Darlington of the Philadelphia school. These persons were all teachers: The first had been instructed 8 years; the second had been in the school, as pupil and otherwise, since 1818, and the third had been instructed 5 years. This conversation was conducted in such a manner as to put the pupil entirely upon his own resources, and the result is a fair

test of the proficiency of each pupil. It will be seen by this examination, which is annexed to this report, and marked D, that there is a striking difference between the answers of Gazlay, instructed in the New-York school, and those educated in the other schools. Gazlay is a remarkably fine young man, and has all the capacity, activity and ambition necessary to make a scholar of the first order. Why then is there this difference between his answers and those of the other pupils to the same questions? The answer is given in his own simple language, when he says, "I was not informed that;" and it affords pretty strong evidence that the pupils in the New-York school, are not as thoroughly educated as those at Hartford and Philadelphia.

It is not designed to underrate the exertions of those who are connected with the New-York school: Great good has been accomplished by their efforts. The directors, as men and as philanthropists, hold the first rank in society; and while it is contended that the system of instruction may and ought to be improved, it is freely conceded that the directors have faithfully and conscientiously done what they believed to be their duty.

It is provided by the present law in relation to instructing indigent mutes, that four shall be received from each senatorial district, and that after two months notice of a vacancy, if there is no application from the district entitled, the vacancy may be supplied from any other district. By referring to the census of the deaf and dumb, (document A,) it will be seen that there is a very great inequality in the number of mutes in the several senate districts. In the second district there were, in 1825, only sixty-two mutes out of a population of more than two hundred and thirteen thousand souls; whilst in the fourth district, with a population of something more than a hundred and ninety-three thousand souls, there were one hundred and twenty-eight deaf mutes. The city and county of New-York, with a population of one hundred and sixty-six thousand, had fifty-six mutes; and the county of Montgomery, (including Hamilton,) with a population of only forty thousand souls, had fifty-five mutes. Of those in New-York, forty-one were in the 5th and 7th wards. The 1st ward, with a population of nearly ten thousand, had only one mute, and the 8d ward, with a population of ten thousand eight hundred souls, had likewise only one. These facts afford a striking illustration of the necessity of so changing the law, as to adapt its provisions to the actual wants of the deaf and dumb. The provisions for equalizing the amount of instruction

among the several districts, was, perhaps, as well as any mode which could be suggested, in the absence of an enumeration ; but the number and location of this class of our population having been ascertained by the census, the fostering care of the state ought to be extended equally to the whole number, without reference to the senate district, in which it might be the lot of any one to reside. A law which should give the same amount of banking capital to the first and fourth senate districts, without reference to the necessities of either, would not be more erroneous in its policy, although it might be more injurious in its effects, than is the principle on which the present graduation for the education of the deaf and dumb is based.

It is desirable to extend the time of instruction to five instead of four years. The mute has first to learn a language, as a medium through which his teacher can converse with him, before his education can be considered as fairly commenced. Scholars possessed of all their faculties when they are sent to school, have this language, and can converse intelligibly with the teacher ; and yet with all these advantages, very few parents who intend to give their children a good education, would think of restricting them to four, or even five years. And it is believed that many attend school eight or ten years, without acquiring any thing more than a good common education.

The directors were authorised by the third section of the act passed in 1827, providing for the erection of an asylum, to retain at their discretion, not exceeding eight pupils, for a period of two years beyond that authorised by the general law. This provision has not been considered as authorising an increase of the pupils beyond the four from each senate district ; and thus construed, if the directors give effect to it, the operation is manifestly unjust ; because the pupil who has received instruction for four years, is continued two years longer ; and the pupil who has received no instruction at all, is consequently delayed in the commencement of his studies, for two years. It can hardly be supposed that the Legislature intended that such should be the operation of this section.

The annual report of the directors, which has been referred to the Superintendent, states that the asylum buildings are completed ; but the total cost of these erections, and the amount of indebted-

ness, over and above the asylum fund, is not stated in the report. The law for building the asylum, appropriated \$10,000 from the state treasury, on condition that the directors of the institution should raise the same amount for the same purpose, "and that the price of the ground to be purchased, and the plan of the buildings to be erected, should be submitted to the Superintendent of common schools, and be by him approved, before the said sum shall be drawn from the treasury." In June, 1827, the plan of the buildings, and a lease from the corporation of a piece of land on which it was proposed to erect them, were submitted to the Superintendent, accompanied by a letter from Dr. Samuel Akerly, the secretary of the board, giving the most unequivocal assurances that the Asylum, on those plans, could be built for a sum not exceeding \$20,000; the amount which, by the conditions of the law, was then provided. The Superintendent was very desirous so far to vary the plan, as to have stone steps, (similar to those in the Pennsylvania Asylum,) to the different flights of stairs which communicated with the lodging rooms of the pupils in the third story, in order to afford an opportunity for escape, in case of fire; but the additional cost was urged as an objection, and rather than do any act which might have a tendency to leave the Asylum in debt after its completion, he approved of the plan without this improvement. It is now stated in a letter from the treasurer of the board, that the amount borrowed on the Asylum is \$11,000, making the cost of the building \$31,000 instead of \$20,000. It has appeared to the Superintendent, under all the circumstances of this case, that the directors, in their annual report of this year, ought to have given some explanation of the causes for this difference of more than one-third between the estimate and the expenditure; and the reasons which induced them to incur this heavy debt, and to mortgage the Asylum for its payment.

In discharging the duties enjoined upon him by the Legislature, in relation to the price of the ground, and the plan of the buildings, the Superintendent designed to take every reasonable precaution to have the Asylum buildings, as far as practicable, placed beyond the reach of rents and other debts, and protected against all contingencies and casualties which might lead to future embarrassment. It was with this view that he objected to have the Asylum built upon leased land; and in consequence of which the corporation of New-York, with its characteristic liberality, gave to the institution the fee of an acre of land, worth \$1,000, on which the buildings are placed. The correspondence on this subject is annexed to this re-

port, marked E, from which it will be seen that the Superintendent had all the assurance which he could require, that the cost of the Asylum would not exceed the amount which had been provided for its erection.

The prevalent practice of fastening permanent debts upon public institutions, is pernicious, and ought, as far as practicable, to be avoided. The Lunatic Asylum has a debt of \$140,000 resting upon it. The public schools in the city of New-York, are actually mortgaged for \$70,000, and in spite of all the guards of the Legislature, and the precautions of the Superintendent, the Deaf and Dumb Asylum has a debt of \$11,000 entailed upon it. It may be said, perhaps, that this is a matter which concerns only the corporation, and that it is intended to pay this indebtedness without calling upon the state. But if the institution should become embarrassed, and the creditor should press for his money, an application would be made at once to the Legislature, to save the Asylum buildings from the grasp of the money lender. And thus the mortgage which the directors have in form given upon the Asylum, would be foreclosed in effect, upon the public charity and the liberality of the Legislature.

In closing this report, the Superintendent would respectfully urge upon the Legislature, the very great importance of continuing its patronage and protecting care to the deaf and dumb. To these peculiar children of the state, instruction is every thing. Without it they are mere blanks in society, and a source of anxiety and affliction to their friends. Instruction releases their minds from its thralldom, and restores them at once to the social commonwealth. Instead of being shunned and treated as outcasts, they become agreeable associates, and are not only useful, but extremely interesting members of society.

A. C. FLAGG.
Superintendent of Common Schools.

(A.)

Whole number of Deaf and Dumb persons in the State of New-York, as ascertained by the census of 1825.

COUNTIES.	MALES.		FEMALES.		CIRCUMSTANCES.		The No. of deaf and dumb to eve- r 2,000 souls.	
	Under 10 years.	Between 10 and 25 years.	Under 10 years.	Between 10 and 25 years.	No. supported by charity.	No. of sufficient ability to support themselves.		
<i>1st Senate District.</i>								
Suffolk,	1	3	.....	3	....	5	7	0.590
Queens, .....	.....	5	....	2	2	6	9	0.884
Kings, .....	.....	.....	.....	.....	.....	.....	.....	None.
Richmond, .....	.....	.....	.....	.....	.....	.....	.....	None.
New-York,	1	31	....	24	34	19	56	0.664
Total,	2	39		29	36	30	72	0.429

2d Senate District.

Westchester,	3	.....	.....	2	1	4	0.254	
Putnam, .....	.....	.....	1	....	1	2	0.338	
Dutchess,	1	2	4	....	7	8	0.342	
Rockland, .....	.....	.....	.....	.....	.....	.....	None.	
Orange,	2	2	2	4	4	11	17	0.814
Ulster,	5	4	1	9	2	17	19	1.186
Sullivan, .....	.....	.....	1	....	....	....	1	0.192
Delaware,	1	3	1	2	4	7	11	0.744
Total,	8	13	7	20	12	44	62	0.483

3d Senate District.

Greene,	3	2	5	4	....	3	15	1.152
Columbia,	3	6	1	1	2	6	13	0.632
Albany,	3	14	1	5	5	10	24	1.074
Rensselaer,	1	3	2	4	7	5	13	0.574
Schoharie,	2	6	3	3	4	6	14	1.080
Schenectady,	1	1	....	1	1	....	4	0.622
Total,	13	32	12	18	19	30	82	0.855

COUNTIES.	MALES.		FEMALES.		CIRCUMSTANCES.		The No. of dead and dumb to over 7,000 souls.	
	Under 10 years.	Between 10 and 25 years.	Under 10 years.	Between 10 and 25 years.	No. supported by charity.	No. of sufficient ability to support themselves.		
<i>4th Senate District.</i>								
Saratoga,	1	7	1	2	3	9	13	0.660
Montgomery & Hamilton,	1	24	10	20	17	30	55	4.322
Washington,	3	10	1	9	1	20	25	1.274
Warren,	1	1	2	....	....	4	4	0.734
Clinton,	2	4	....	6	6	2	12	1.658
Essex, .....	....	....	....	2	....	3	4	0.500
Franklin,	3	1	....	1	3	....	5	1.254
St. Lawrence,	2	5	1	2	1	4	10	0.725
Total,	13	52	15	42	31	72	128	1.390
<i>5th Senate District.</i>								
Herkimer,	1	1	1	5	....	7	12	0.726
Oneida,	4	5	1	9	5	10	19	0.692
Madison, .....	....	5	....	3	3	9	12	0.662
Oswego, .....	....	....	....	1	....	....	1	0.112
Lewis, .....	....	2	....	3	....	3	5	0.686
Jefferson,	4	6	1	5	....	15	18	0.864
Total,	9	19	3	26	8	44	67	0.624
<i>6th Senate District.</i>								
Otsego,	2	12	4	7	....	20	26	1.082
Chenango,	3	1	1	....	1	5	6	0.350
Broome, .....	....	2	....	2	....	3	5	0.718
Cortland, .....	....	2	....	....	....	4	4	0.335
Tompkins, .....	....	7	3	7	....	13	17	1.034
Tioga,	1	1	....	....	....	2	2	0.200
Steuben, .....	....	....	5	5	3	9	14	0.958
Total,	6	25	13	21	4	56	74	0.668
<i>7th Senate District.</i>								
Onondaga, .....	....	4	1	8	6	8	14	0.578
Cayuga,	4	6	5	8	1	18	25	1.170
Seneca, .....	....	2	....	1	....	4	4	0.396
Ontario,	1	4	3	4	3	9	16	0.802
Wayne,	2	2	1	5	3	20	23	1.660
Yates,	1	....	1	....	....	2	2	0.302
Total,	8	18	11	26	13	61	84	0.818

COUNTIES.	MALES.		FEMALES.		CIRCUMSTANCES.			The No. of deaf and dumb to every 2,000 souls.
	Under 10 years.	Between 10 and 20 years.	Under 10 years.	Between 10 and 20 years.	No. supported by charity.	No. of sufficient ability to support themselves.	Total No. of deaf and dumb in said county.	
<i>8th Senate District.</i>								
Livingston,	1	1	....	4	....	5	6	0.626
Monroe,	2	1	5	4	4	4	8	0.408
Genesee,	3	4	2	7	4	11	17	0.426
Niagara,	2	....	3	....	5	5	5	0.356
Erie,	2	2	2	2	2	5	9	0.740
Allegany,	3	....	2	1	5	5	8	0.882
Cattaraugus,	3	2	2	1	1	6	7	1.618
Chautauque,	2	1	4	2	2	6	8	0.678
Orleans,	5	....	2	4	3	3	8	1.098
Total,	9	23	6	31	18	50	76	0.759

RECAPITULATION.

	Total deaf and dumb in each district.						Whole po- pulation.
	1st	2d	3d	4th	5th	6th	
1st Senate District, ..	2	39	....	29	36	30	721230723
2d do do ..	8	13	7	20	12	44	621213396
3d do do ..	13	32	12	18	19	30	82189887
4th do do ..	13	52	15	42	31	72	128193435
5th do do ..	9	19	3	26	8	44	67197727
6th do do ..	6	25	13	21	4	56	74198381
7th do do ..	8	18	11	26	13	61	84188744
8th do do ..	9	23	6	31	18	50	76204165
	68	221	67	213	141	387	645

Note.—Taking the whole State, and the number of deaf and dumb to every 2,000, is 0.753. This proportion has reference to the whole number of souls. The calculations in the body of the report, where 1 mute is estimated to every 2,000, include only the white population.

(B)

An Examination of the Scholars at the Central Asylum for the Instruction of the Deaf and Dumb, in January, 1828.

The teacher, being himself a mute, the Superintendent gave him a written memorandum in the following words: "I give a word, say 'conquered,' and you make signs to the whole class to write a sentence which shall include the word on any subject. The scholar will then write, 'Bonaparte conquered Italy,' or 'Bonaparte was conquered in Russia,' or any thing else, each scholar selecting his own subject." [The teacher repeated the above memorandum in signs to the class, and they generally wrote down one or the other of the examples. The Superintendent then added to the written memorandum for the teacher, as follows:]

"The above is given by way of example to you, and you are only to make signs to the class to write a sentence embracing the word selected."

[The teacher gave another explanation to the class, and the scholars gave the following examples. It is not surprising that the example which had been given out should have been adopted, after all, by several of the class; nor is this any impeachment of the intelligence of the scholars. At all events, the example on the word conquered, could not aid them in regard to the subsequent examples on other words.]

On the word "Conquered."

1st scholar, aged 18 years, instructed 3 years. "Bonaparte was conquered by the English."

2d, aged 20, instructed 3 years. "Bonaparte conquered in Italy."

3d, aged 21, instructed 1½ years. "Americans were conquered at the English."

4th, aged 19, instructed 2½ years. "The army of Bonaparte conquered in Italy"

5th, aged 22, instructed 2 years. "The Bonepart was by the Italy."

6th, aged 19, instructed 1½ years. The army in Rome was conquered by German."

7th, aged 18, instructed 3½ years. "General Jackson conquered the English at New-Orleans about 13 years ago."

8th, aged 21, instructed 3½ years. "The army in Italy was conquered by Bonaparte."

9th, aged 15, instructed 3½ years. "Pompey was conquered by Julius Cæsar."

10th, aged 16, instructed 2½ years. "Geo. 3d was conquered by Washington."

11th, girl, aged 18, instructed 2 years. "Washington conquered the English."

12th, girl, aged 12, instructed 3 years. "Bonaparte was conquered by the English."

13th, girl, aged 22, instructed 2 years. "England was conquered by France."

On the word "*Attention.*"

1st scholar, aged 18 years, instructed 3 years. "The pupils are receiving the attention for the books."

2d, aged 20, instructed 3 years. "The attention is learning of the books."

3d, aged 21, instructed 1½ years. "I would attend the attention of the asylum."

4th, aged 19, instructed 2½ years. "The teacher who makes signs with an attention."

5th, aged 22, instructed 2 years. "I read the book with attention."

6th, aged 19, instructed 1½ years. "Levi S. Backus,* and Charles Bowman† has very attention that the deaf and dumb are industrious to their learning."

7th, aged 18, instructed 3½ years. "Mr. Levi S. Backus and Mr. Charles Bowman, are very happy that the scholars have much attention."

8th, aged 21, instructed 3½ years. "The attention of the good people thinks and hear the minister preach."

9th, aged 15, instructed 3½ years. "The boy is a very good attention towards his teacher."

10th, aged 16, instructed 2½ years. The pupils who are good attention."

11th, girl, aged 18, instructed 2 years. "He is attention the reading for the bible."

12th, girl, aged 25, instructed 3 years. "We must to attention of the books."

13th, girl, aged 22, instructed 2 years. "They are attention for the learn."

On the word "*Benevolent.*"

1st scholar, aged 18, instructed 3 years. "The gentleman is very grateful and benevolent to the Legislature."

2d, aged 20, instructed 3 years. "He is benevolent to the poor."

* Principal teacher. † Assistant teacher.

3d, aged 21, instructed 1½ years. "The benevolent woman have given me clothes. I was very grateful to her."

4th, aged 19, instructed 2½ years. "God is very benevolent to all of us beings."

5th, aged 22, instructed 2 years. "I should feel very grateful to the directors have extended their patronage to the deaf and dumb for very acts for benevolent."

6th, aged 19, instructed 1½ years. "The directors are very benevolent for the pupils feel very much grateful."

7th, aged 18, instructed 3½ years. "I feel very grateful to the Legislature of this state because they are very benevolent to the deaf and dumb."

8th, aged 21, instructed 3½ years. "The gentleman is very benevolent."

9th, aged 15, instructed 3½ years. "The Legislature are very benevolent to the deaf and dumb for board."

10th, aged 16, instructed 2½ years. "They are very grateful to the Legislature of the state, because they have extended the support (unfortunate beings) indigent to the deaf and dumb and for very benevolent."

11th, girl, aged 18, instructed 2 years. "They are very benevolent to the Asylum."

12th, girl, aged 25, instructed 3 years. "I am very benevolent to her friend."

13th, girl, aged 22, instructed 2 years. "They were benevolent for the pupils."

On the word "*Deceived.*"

1st scholar, aged 18, instructed 3 years. "The man to deceive for stealing the book."

2d, aged 20, instructed 3 years. "The thief much deceived from the horse."

3d, aged 21, instructed 1½ years. "The young thief deceives to steal the man's watch."

4th, aged 19, instructed 2½ years. "The man who have deceived the bill for counterfeit."

5th, aged 22, instructed 2 years. "A boy has been deceived the store."

6th, aged 19, instructed 1½ years. "The man is much deceived, he would be disfigured and return to company."

7th, aged 18, instructed 2½ years. "A vicious man deceived me because he would go to the great city of Rome."

8th, aged 21, instructed 3½ years. "He deceived them that the house is burned by fire."

9th, aged 15, instructed 3½ years. "The sailor deceived the boy that the girl was drowned in the river."

10th, aged 16, instructed 2½ years. "The boy said him that he should go with him to his friend, but he deceived him."

11th, girl, aged 18, instructed 2 years. "The sailors were mad because Columbus deceived them."

12th, girl, aged 25, instructed 3 years. "The man to deceive from the lady."

13th, girl, aged 22, instructed 2 years. "The girl deceived the minister."

On the word "*Beautifully.*"

1st scholar, aged 18, instructed 3 years. "The waggon is made beautifully."

2d, aged 20, instructed 3 years. "The church is made beautifully."

3d, aged 21, instructed 1½ years. "I have admired the coach because it is made beautifully."

4th, aged 19, instructed 2½ years. "The gentleman admired the side-board beautifully."

5th, aged 22, instructed 2 years. "The sleigh and horses are a great beautifully."

6th, aged 19, instructed 1½ years. "The house is much beautifully clean which the man is pleased with a pace."

7th, aged 18, instructed 3½ years. "Gen. Geo. Washington wrote beautifully."

8th, aged 21, instructed 3½ years. "I admired the city of New-York beautifully."

9th, aged 15, instructed 3½ years. "Cicero spoke beautifully to the conspirators as an orator."

10th, aged 16, instructed 2½ years. "He sings very beautifully."

11th, girl, aged 18, instructed 2 years. "Queen Mary is beautifully."

12th, girl, aged 25, instructed 3 years. "The puppets look beautifully."

13th, girl, aged 22, instructed 2 years. "The bureau beautifully, the lady."

On the words "*Had built.*"

1st scholar, aged 18, instructed 3 years. "He had built the house."

2d, aged 20, instructed 3 years. "The carpenter had built the ship."

3d, aged 21, instructed 1½ years. "The carpenter had built the barn in June, 1827, at Canajoharie."

4th, aged 19, instructed 2½ years. "The skilful man had built the brick church of St. Paul's in England."

5th, aged 22, instructed 2 years. "The carpenter had built the house."

6th, aged 19, instructed 1½ years. "The gentleman had built the house."

7th, aged 18, instructed 3½ years. "Mr. Kimball the carpenter who had built this asylum about 5 years ago."

8th, aged 21, instructed 3½ years. "Noah had built the ark 40 years."

9th, aged 15, instructed 3½ years. "The servant men had built this Asylum for the deaf and dumb at Canajoharie centre."

10th, aged 16, instructed 2½ years. "They had built the large house. Solomon had built the temple in Jerusalem."

11th, girl, aged 18, instructed 2 years. "The man had built the great house."

12th, girl, aged 25, instructed 3 years. "He had built the house."

13th, girl, aged 22, instructed 2 years. "The man had built the church."

On the word "*Although.*"

1st scholar, aged 18, instructed 3 years. "Although it rained I went home."

2d, aged 20, instructed 3 years. "Although the drunkard fell in the mud e water. Although the man rides on horseback and he fall on the ground the horse runs through the wood from him."

3d, aged 21, instructed 1½ years. "Although I try to learn my studies when I wish to improve."

4th, aged 21, instructed 2½ years. "I am going to Cherry Valley this afternoon although it is muddy."

5th, aged 22, instructed 2 years. "Although it is rain I came to the Asylum in August last."

6th, aged 18, instructed 3½ years. "Although Mary queen of Scotland was very beautiful she was beheaded by Elizabeth queen of England."

7th, aged 21, instructed 3½ years. "Although the tempest was very violent the traveller would go."

8th, aged 15, instructed 3½ years. "Although my friends do not come to the common school I will go to it to visit the boys and girls who are very curious towards me." "Although a girl is very ugly and awkward the gentleman will endeavour to marry her."

9th, aged 16, instructed 2½ years. "Although it is unpleasant I shall go home on foot next Monday."

10th, girl, aged 18, instructed 2 years. "Although it is muddy Azariah C. Flagg came to the Asylum."

11th, girl, aged 25, instructed 3 years. "Although it rains I will go to church."

12th, girl, aged 22, instructed 2 years. "Although my mother was sick I went to the Asylum."

After the above exercises, the Superintendent gave the teacher a paragraph from a newspaper which he had in his pocket, as follows : "A meeting of the citizens of Canandaigua has resolved to petition the Legislature for the incorporation of a company to construct a rail-road from that village to the Erie canal."

The teacher communicated it to the class in signs, and ten of them wrote it down upon their slates with entire accuracy. The other three made some mistakes. The teacher then gave them several sentences in signs, which they wrote upon their slates with great precision. On these they might have practised before ; which could not have been the case with the paragraph given from the paper.

(C.)

*Exercises of Mr. Loofborrow's class, on words selected by him.***On the word "Business."**

1st scholar, aged 22, instructed 5 years 4 months. "A few months ago, I intended writing a letter to my father; but I was engaged with business."

2d, aged 14, instructed 4 years. "A gentleman lived in the city of Albany, who was affluent, and retired from business into the country."

3d, girl, aged 16, instructed 3 years. "My father is business for the mill: he lives in Palmyra, Wayne county."

4th, girl, aged 18, instructed 3 years. "We will go into the country from business."

5th, aged 15, instructed 4 years, nearly. "My brother-in-law business to a wheel-wright: he sells many wagons which are elegant and increase money."

6th, girl, aged 15, instructed 4 years. "A man retired from business, and went to New-London, where had a farm and house which were very handsome."

7th, girl, aged 20, instructed 2 years and 10 months. "My father lived in Argyle: he has business his farm."

On the word "Destruction."

1st, aged 22, instructed 5 years and 4 months. "With repentence of our transgressions, we will obtain the admittance of God's pardon, as we know we will fall into great destruction."

2d, aged 14, instructed 4 years. "I saw the houses were in destruction by firemen in the street of Ann, in New-York, some months ago."

3d, girl aged 16, instructed 3 years. "Several years ago, a man came to destruction, because he was very drunken."

4th, girl, aged 18, instructed 3 years. "In the country, I saw destruction of a drunkard man, for he is a wicked."

5th, aged 15, instructed 4 years, nearly. "The Russians have recently in destruction the Turks, who were conquered by the Russians: they thought they were powerful to victory over the Turks."

6th, girl, aged 15, instructed 4 years. "I saw destruction of a ship which was almost worn out: some people were in the ship; they were drowned into the sea."

7th, girl, aged 20, instructed 2 years and 10 months. "My friend told me that he heard the destruction of the barn."

On the words "*Might have been protected.*"

1st, aged 22, instructed 5 years and 4 months. "The Israelites might have been protected by the Almighty God, if they had continued placing confidence in his promise."

2d, aged 14, instructed 4 years. "If Bonaparte had not been ambitious, his country might have been protected by him."

3d, girl, aged 16, instructed 3 years. "The men might have been protected from the dependent condition."

4th, girl, aged 18, instructed 3 years. "The people might have been protected: God always commanded them obey he gives blessing."

5th, aged 15, instructed 4 years, nearly. "If this country was ruined by the British, Americans might have been protected; they would courage destruction of our foreign yoke."

6th, girl aged 15, instructed 4 years. "Some pious people might have been protect from their sins, for they believe are dependent upon God, who always gives them the blessing."

7th, girl aged 20, instructed 2 years and 10 months. "The persons might have been protected, they wished to pray God gave blessing, for they loved him."

The following sums, given by the superintendent, were written upon the slates, and no signs given:

If 1 hat cost \$2.50, what would 50 hats cost?

1st, aged 22, instructed 5 years and 4 months. "One hundred and twenty-five dollars."

The other six scholars in the class gave no answers.

If 27 pairs of shoes cost \$37, what is the price of one pair?

1st scholar, aged 22, instructed 5 years and 4 months, went through with the division, and answered, "One dollar and forty-eight cents."

None of the other scholars in Mr. L.'s class answered the question; and the reason assigned was, that they had not attended much to arithmetic, that being left until the last year of instruction.

Mr. Loofborrow, at the request of the Superintendent, gave the substance of the following paragraph to the pupils, in signs:

"Last night, an attempt was made to rob the New-York bank, by some person who, it is supposed, secreted himself, during the course of the day previous, in the yard back of the building. An attempt was made to cut one of the lower pannels of the back door, with some coarse instrument, probably a jack-knife, from the appearances presented this morning. Before cutting out the pannel, however, the rogue desisted from his purpose, whether from some alarm, or from discovering that the edge of his knife came in contact with a sheet of iron in the door, which is double pannelled. The door leading from William-street into the yard, was found this morning shut, but unlocked, and the key lying within the yard, on the steps leading up from the street. All the doors of the bank, we understand, are double pannelled, with sheet iron between the pannels."

The scholars wrote upon their slates as follows:

1st scholar, aged 22, instructed 5 years and 4 months. "The New-York bank was attempted to be broken by some thieves, and opened the door, and they endeavored to cut an iron box, but they could not find money: whilst they were in the midst of fear of the persons that they might apprehend them, and so they fled away: the door was unlocked but shut."

2d, aged 14, instructed 4 years. "The New-York bank was late endeavored to be broken, and opened the door: the thieves went to the bank and broke the door, and they might thought that gentlemen came there, and they ran from there: the gentlemen saw the bank was broke."

3d, girl, aged 16, instructed 3 years, gave no example.

4th, girl, aged 18, instructed 3 years. "New-York bank was just endeavored to be broken the door: the mischievous men were intending to steal some things, and they were cowardly."

5th, girl, aged 15, instructed 4 years, nearly. "New-York bank was lately endeavored to be broken and opened the door, and several thieves cut an iron box and a half door: they thought some persons may catch them, they run away: in the morning, a gentleman went to bank, and saw the door which was broken by several thieves."

6th, girl, aged 15, instructed 4 years. "New-York bank was lately endeavored to be broken the door, but some mischievous men were intending to steal somethings: they were afraid they might have been supposed to seize by the constable, and they ran away: next morning, a man discovered the door was not locked."

7th, girl, aged 20, instructed 2 years and 10 months. "New-York bank was just endeavored to be broken and opened door, but some thieves heard and cowardly."

Miss Stansbury's Class.

[In the following exercises of Miss Stansbury's class, she pursued her own course, and the words on which the sentences were written, were not given out by the Superintendent.]

On the word "Brings."

1st scholar, aged 14, instructed 2½ years. "She brings a basket full of chesnuts and nuts from the country."

2d, aged 10, instructed 2 years. "Mr. Flagg brings some maple sugar and crackers from the city."

3d, aged 14, instructed 2½ years. "My father brings some new clothes from Esopus Co. for me."

4th, aged 11, instructed 2½ years. "He brings some apples from the market to here."

5th, aged 15, instructed 3 years. "Andrew Mead brings a basket full of apples and peaches here from the city."

6th, aged 13, instructed 4 years. "She brings a basket full of apples from the market."

7th, aged 19, instructed 1 year and 10 months. "He brings my trunk from the steam-boat."

8th, aged 14, instructed 3½ years. "He brings the basket of apples from the market to the house."

9th, aged 13, instructed 2½ years. "He brings a pitcher full of water up stairs to us."

10th, aged 11, instructed 3 years. "He brings many apples to Mr. Waldron, for he gives them to us."

11th, aged 13, instructed 2½ years. "He brings some water-melons out of the garden for dinner."

12th, aged 14, instructed 4 years. "He brings the meats from the market to the new asylum, for dinner every day."

On the words "*Had brought.*"

1st, aged 14, instructed 2½ years. "My father had brought some candies and apples to us before he went into the country."

2d, aged 10, instructed 2 years. "We had brought some muskmelon from the garden, and then we ate them."

3d, aged 14, instructed 2½ years. "The man had brought the coffin from the house for the grave, and then they buried it in the grave."

4th, aged 11, instructed 2½ years. "Mr. Mead had brought the beets and potatoes from the garden to Mrs. Leck."

5th, aged 15, instructed 3 years, "He brought a barrel of apples from New-York."

6th, aged 13, instructed 4 years. "I brought a new frock to Mrs. Jones, who cut it out."

7th, aged 19, instructed 1 year and ten months. "My father had brought a new vest and coat from his house, and then he went home."

8th, aged 14, instructed 3½ years. "She had brought the mattress from New-York before she went at home."

9th, aged 13, instructed 2½ years. "They had brought the cherries from the tree, and then they went to school."

10th, aged 11, instructed 3 years. "My uncle gave some apples and pears to me, and I had brought them from New-York, and I put them into my trunk."

11th, aged 13, instructed 2½ years. "I had brought some new white forks to me I come here."

12th, aged 14, instructed 4 years. "They had brought the bundle of quills from Mr. Wood's store to the new asylum, last Tuesday, and then they ate dinner."

[There were also exercises on the words "*will go,*" and "*brought;*" but the above are deemed sufficient on this head.]

The following paragraph was given to Miss Stansbury by the Superintendent, which she communicated to the class in sign language, and the scholars were requested to write it down upon the slates, from the signs thus given, viz :

"In the name of the society, and at the request of the female association, the chairman returned their thanks to Mr. Jennings, for the gratuitous use of the large room in which the meeting was held."

[It ought, perhaps, to be mentioned, that the above paragraph was contained in a relation of the proceedings of a meeting at which the pupils were present; and it is, therefore, uncertain whether the wide departure from the copy given, was owing to the imperfection of the signs in conveying the language correctly, or whether it was occasioned by mingling the recollections of the scholars about the meeting, with the translation into sign language of a paragraph having allusion to that meeting. In giving the signs, Miss S. alluded to the meeting, and to their being present. The only assertion made in the paragraph given, is, that the ladies "*returned their thanks to Mr. Jennings;*" and this is embraced in all the answers.]

1st scholar, aged 14, instructed 2½ years. "Last winter all the deaf and dumb went to City Hall, Mr. Jennings, and gentlemen and ladies come and saw them, the preacher addressed them and the ladies thanked Mr. Jennings for room."

2d scholar, aged 10, instructed 2 years. Last winter all the deaf and dumb went the Mr. Jenning, and the ladies and gentlemen come and saw them. The preacher spoke, thank them for the hotel."

3d scholar, aged 14, instructed 2½ years. "Last winter all the deaf and dumb went to Jennings' City Hotel, and then they saw the people, and then exercised by the pupils, who saw, and the people who were glad to see the deaf and dumb. And then the people gave them more money to support them, and then the people were out of the city hotel at 12 o'clock, and the ladies thanked Mr. Jennings."

4th scholar, aged 11, instructed 2½ years. "Last winter all deaf and dumb went to Mr. Jennings' city hotel, and the people sat row of benches, and they saw them and then they gave money to the deaf and dumb, and ladies thanked Mr. Jennings."

5th, girl, aged 15, instructed 3 years. "Last winter the deaf and dumb went to Mr. Jennings', and give room the ladies and gentlemen one and saw them. The addressed spoke to the people, and the ladies thanked Mr. Jennings from his large room."

6th, girl, aged 13, instructed 4 years. "Last year all the deaf and dumb went to the city hotel, and the ladies and gentlemen come and saw them. The preacher addressed them; they collect ed money for deaf and dumb. The ladies thanked Mr. Jennings for the room."

7th scholar, aged 19, instructed 1 year and 10 months. "Last year all deaf and dumb went to Mr. Jennings' city hotel, and the

gentlemen and ladies set on benches, and they saw the deaf and dumb, and they addressed Mr. Jennings for the room and the many candles."

8th scholar, aged 14, instructed 3½ years. "Last winter all the deaf and dumb went to the city hotel, for many people thanked Mr. Jennings, and they saw the deaf and dumb. Many sat on benches, and gentlemen collected the money to give the deaf and dumb, and ladies thanked Mr. Jennings his room."

9th scholar, aged 13, instructed 2½ years. "Last winter all deaf and dumb went to Mr. Jennings' city hotel, and the ladies and gentlemen sat on rows of benches, came and saw them, and they gave money to the deaf and dumb, and ladies thanked Mr. Jennings for the room."

10th scholar, aged 11, instructed 3 years. "Last winter all the pupils went to the city hotel, and the ladies and gentlemen come here and saw them, and the preacher addressed us, and they thanked to Mr. Jennings."

11th scholar, aged 13, instructed 2½ years. "Last winter all the deaf and dumb went to the city hotel, Mr. Jennings', and the ladies thanked him for room."

12th scholar, aged 14, instructed 4 years. "All the mutes last winter, several gentlemen, went to Mr. Jennings' city hotel. Those gentlemen and ladies sat on rows of benches. Mr. Jennings collected the money for deaf and dumb, they gave it to Mr. Jennings' candles."

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(D.)

The Superintendent proposed the same questions to Geo. W. Loring, of the American asylum, at Hartford; to Darlington of the Pennsylvania institution, and John H. Gazlay, of the New-York institution. In this examination the Superintendent wrote the question upon a sheet of paper and handed it to the pupil, who wrote his answer immediately, under it. When this was done, another question was written, and the conversation thus continued. In this examination, the pupil was put entirely upon his own resources; he was not forewarned of the question, or the subject in relation to which he might be called to answer. There could be no special preparation which would meet such a case. In the following paper, the question which was put to all the pupils is given, and the answers of each are given in succession below, so as to be readily contrasted.

1st question. Who first applied steam to propelling boats?

Answer by Loring. "I believe it was Mr. Robert Fulton."

Answer by Darlington. "I believe, R. Fulton, esq."

Answer by Gazlay. "Fulton."

2d question. Had steam previously been applied to machinery, or for other purposes?

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5

Answer by Loring. "If I am not mistaken it was originally applied to mechanical machinery, and it was James Watt who did it ; and this led Mr. Fulton to employ that power to propel vessels."

Answer by Darlington. "I think Fulton ascertained* it by seeing the lid of a kettle which was moved by hot water contained in it : I am not acquainted with the history of steam-boats."

Answer by Gazlay. "I cannot tell. I was not informed that."

3d question. How many states are there in the Union ?

This was correctly answered by the three.

4th question. What form of government do you prefer, and what are the reasons of your preference ?

Answer by Loring. "I prefer republicanism to all forms of government, because it is consistent with the nature of man ; for in republics the rights of man are impartially considered and authority distributed to persons who seem to be best adapted for trust."

Answer by Darlington. "Republican, because it has a great many excellent laws ; no despotism exists in it ; it has been warm in preserving peace and preventing war with foreign nations : wars have always been produced by kings."

Answer by Gazlay. "I understand it, cannot answer. The republic is preferable."

5th question. How are the United States governed, and how are the several states governed ?

Answer by Loring. "They are governed by three distinct bodies, the first the legislative body, called congress ; the second the judicial body, called the supreme court of the United States, and the third the executive body, which consists of a president, a vice-president and several secretaries. The several states are each of them governed by a legislature, a council and a governor."

Answer by Darlington. "The former are governed by their president, and the latter by their governor."

Gazlay was asked, How are the U. S. governed ? To which he gave no answer ; and then, How is this state governed ? to which no answer was given.

6th question. What is love ?

Answer by Loring. "It is an affection that we have for objects which charm us."

Answer by Darlington. "It in general is a high degree of esteem which a person entertains for another, on account of his admirable virtues. I think it is a strong passion applied to persons of both sexes."

Answer by Gazlay. "It is to treat with kindness, &c."

7th question. What is the difference between liberty and licentiousness ?

* The question was put to him as follows :—"Had the power of steam been ascertained previously?" &c.

Answer by Loring. "Liberty is lawful and decent; whereas licentiousness is excessive and criminal."

Answer by Darlington. "Liberty means freedom from slavery, by which persons enjoy their rights, and are enabled to do their business with success and propriety; licentiousness signifies an improper indulgence in what is produced by a disregard of restraint."

Answer by Gazlay. "It is a hard question, and therefore I cannot answer."

(E.)

Letter from Dr. Akerly.

New-York, 16th June, 1827.

Mr. A. C. Flagg, Secretary of State:

Dear Sir—I have the pleasure to inform you, that in conformity to the act of 23d March, the directors of the institution for the deaf and dumb, have deposited \$10,000, and in a few days the Rev. Dr. Milnor will be at Albany, with the plans and necessary documents to present to you for your approbation, in order to draw upon the Comptroller for the state appropriation of \$10,000. *The estimate of the expense of building upon these plans will be within, or not exceeding the \$20,000.* The law requires your approbation of the plans, and the purchase of a site. But in order to preserve the whole of our means for the buildings, we have procured of the corporation of the city a long lease of a five acre lot, at a moderate rent. Dr. Milnor will present the plans to you, as they have been adopted by our board of directors, subject to such alteration of the internal arrangement as may hereafter be found necessary. For this purpose Mr. Thompson, the architect, and myself, will visit the Pennsylvania institution to ascertain if any improvement can be made in the interior of our plan. The exterior form has been adopted, and it is to be a plain stone building, rough cast on the outside. The interior will be finished plain, more for use than ornament; and as the whole of the stone can be quarried on the lot we have obtained, a large and commodious building can be erected, with the necessary out-houses, *at a less expense than was at first contemplated, and within the twenty thousand dollars appropriated.*

SAMUEL AKERLY, Secretary.

Letter from A. C. Flagg to Dr. Akerly.

STATE OF NEW-YORK, SECRETARY'S OFFICE, }
Albany, July 6, 1827. }

Dr. SAMUEL AKERLY:

Dear Sir—I regret having been absent when Dr. Milnor visited Albany, as I should have been gratified with his explanations in relation to the conditions of the lease of the premises on which it is proposed to erect the asylum for the deaf and dumb.

As the institution for the instruction of the deaf and dumb, is about erecting permanent and expensive buildings, it is very desi-

rable that the fee of the land on which those erections are made, should be vested in the institution, unshackled by rents or annual charges of any kind. On this point, the lease from the corporation is objectionable. It is for twenty-one years, reserving an annual rent of seventy-five dollars, for the first fifteen years, and one hundred dollars, for the last six years, payable quarterly; and if the rents are at any time unpaid, according to the conditions, for the space of twenty days, then the corporation can re-enter and re-possess the same, as of their former estate. There is a covenant to renew the lease for twenty-one years, at a rent to be ascertained by sworn appraisers; and in case no agreement be made between the parties, then the institution has the privilege, within ten days, of removing the materials of which the buildings are composed. And a second covenant for renewal is specially excepted in the lease. There is also a covenant on the part of the institution, to deliver up the possession of the premises on the last day of the term demised.

Is it wise to apply the benevolent donations of the state and of individuals, to the erection of buildings for a deaf and dumb school, on premises which are not free and clear, and perpetually set apart for the objects of the institution? Ought not the buildings to be secured against the entanglements which might grow out of the conditions of the present lease? By the laws of the state, buildings appropriated to the purposes of public instruction, &c. are exempt from taxation, and consequently secured against the casualties of being sold for taxes. It seems to me, that the same principle ought to govern in this case, and that the buildings, as far as practicable, should be placed beyond the reach of casualty.

I will be in New-York on the 12th, (next Thursday,) and will bring the plans with me.

I am, with great respect, your obedient servant,

A. C. FLAGG.

[The Superintendent accordingly visited New-York, for the purpose of explaining his objections to the directors: they made a second application, to the corporation, and obtained a gift of the fee of one acre of land; and then the Superintendent approved of the plan in the following terms:]

STATE OF NEW-YORK, SECRETARY'S OFFICE, }
Albany, July 19, 1827. }

The plans for an asylum for the deaf and dumb, to be erected in the city of New-York, having been submitted to me in compliance with a provision in the second section of "An act to provide for the building an asylum for the deaf and dumb in the city of New-York," passed 23d March, 1827, and the corporation of New-York having granted in fee, to the deaf and dumb institution, one acre of land, on which the buildings are to be erected, and having leased about four acres in addition, on favorable terms; I hereby approve of "the price of the ground to be purchased, and the plan of the buildings to be erected."

A. C. FLAGG,
Superintendent of Common Schools.

IN ASSEMBLY,

March 4, 1830.

REPORT

Of the Select Committee, consisting of the members attending this House from the county of Cayuga, to whom was referred the petition of J. Richardson and others.

The select committee, consisting of the members of this house from the county of Cayuga, to whom was referred the petition of J. Richardson and others, inhabitants of that county, praying that the provisions of the act entitled "An act to amend the act, entitled 'An act to prevent horse racing, and for other purposes,' " passed April 5, 1828, may be extended and apply in all respects to the county of Cayuga,

RESPECTFULLY REPORT:

That the act above named regulates the race course in the county of Dutchess, and may be found in the Laws of 1828, page 210.

From the best consideration your committee have been able to give the subject, they are unanimously in favor of granting the prayer of the petitioners.

For several years past, courses for horse racing in the county of Cayuga, have been kept up and maintained in open violation of the existing law on the subject; and it has now by a sort of common consent among the citizens of that county, been deemed dishonorable to inform against the owners, projectors, aiders and abettors of such race courses, or the owners of the horses running races.

But there are evils attending such unlawful races far greater and more demoralizing than the mere trials of the speed of horses.

Gaming, in a great variety of forms, such as cards, dice and wheels of fortune, are the sure attendants, and as now practised, the inseparable concomitants of such unlawful races. These games are played in the open streets and fields, and managed by a set of desperate sharpers and cheats, drawing around them and their devices for picking pockets, crowds of the unsuspecting and credulous young men of our country, who hazard and lose more or less of the earnings of honest industry.

Gambling is not the only vice and violation of the laws attendant upon these races. The sale of ardent spirits upon the course, and the consequent intoxication of many of the multitude, follow in their train.

Could these evils be prevented, these open law breakers be restrained, and a race course established under the control and management of gentlemen of known honor and integrity, your committee are convinced that the cause of morality would be promoted, and an encouragement afforded to the farmers of the rich and populous county of Cayuga to improve the breed of that useful and noble animal, the horse.

Your committee have looked into the law regulating the Dutchess county course, and are satisfied with all its provisions : while it strictly guards against the illegalities and excesses above enumerated, and provides for the prompt administration of the laws by the constituted authorities, and affords that encouragement for improving the breed of horses sought for, it also gives to the lovers of the sports of the turf their holyday.

Your committee, therefore, ask leave to bring in a bill.

R. L. SMITH, *Chairman.*

No. 237.

IN ASSEMBLY,

February 19, 1830.

REPORT

Of the Committee on the Judiciary, on the existing law relative to the redemption of lands sold for taxes.

Mr. Vanderpoel, from the committee on the judiciary who, by a resolution of this house, were instructed to inquire whether any, and if any, what alteration or amendment is required in the law relative to the redemption of lands sold for taxes, in cases in which the premises sold were occupied at the time of the sale,

REPORTED :

That sections eighty-three, eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, of title third, chapter thirteen, part one, folio 412, of the Revised Statutes, contain the provisions to which the attention of your committee has been called by the foregoing resolution. The Comptroller, in his late annual report, has dwelt fully upon the topics contemplated by the resolution. He has clearly and fully pointed out the imperfections of the Revised Statutes in relation to the sale of lands for taxes; and your committee cannot add to the very full and able exposition of the existing evils under the above law, which the late report of that able and faithful officer exhibits.

The evils which manifestly exist, and which call for immediate legislative interposition, are—

1st. That no notice to the owner or occupant of the lands is required to be given by the purchaser, unless the lands are actually

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occupied at the *time of the conveyance*, from the Comptroller to the purchaser. Though they may be occupied at the time of the sale, or during the whole term of the two years given for redemption, yet it would seem, that if not actually occupied at the time of the *execution and delivery of the deed*, the purchaser is not compellable to give notice to the owner. The evils resulting from this defect of our laws, will be more apparent when it is considered that *the time of taking the deed* is entirely at the option of the purchaser, and that he has it in his power to defer his application for a deed till he finds the premises vacant, and thus deprive the owner of the benefit of a notice.

2dly. *The notice can not be given until the land has been conveyed*, and then the law does not compel him to serve a notice upon the owner or occupant within any *fixed* time. And according to a judicial construction which our supreme court have given to the sections above referred to, the owner has no right to pay his money and thus disencumber his lands, until the *actual service of the notice*. Cases may very readily be imagined in which this discretion in the purchaser may tend to very mischievous results. The proprietor and occupant may be anxious to sell his lands. To effect an advantageous sale, he will find it necessary to liberate them from the incumbrance created by a tax sale. The purchaser, aware of the favorable opportunity presented to the owner to dispose of his lands, may obstinately refuse to give the notice of his purchase, and thus lay the foundation for their redemption. He may continue his cloud over the owner's title, till his own culpable omission and obstinacy coerce the owner into a compromise, the terms of which are graduated by the owner's extreme anxiety to sell.

The foregoing are the most striking evils that have occurred to your committee. Others of less magnitude exist in the law to which their attention has been called, and which your committee propose to remedy by the bill which they have prepared. Your committee would enter more fully into detail but for the able manner in which they have been anticipated by the Comptroller. To guard against the evils which he has so fully pointed out, your committee beg leave to introduce a bill.

No. 238.

IN SENATE,

March 2, 1830.

REPORT

Of the Committee on State Prisons, relative to the building of a State Prison for the confinement and employment of Female Convicts.

The committee upon state prisons herewith

REPORT—

To the Senate, an act authorising the building of a state prison, for the confinement and employment of the female convicts of this state.

The committee consider that this plan of providing such a penitentiary, has already received the sanction of the Legislature ; they will therefore have performed their duty, by reporting such a bill as in their opinion is best calculated to carry such declared intention into effect, and also by presenting in one view, the various recommendations and reasoning which led the attention of the Legislature to this subject, and induced that body in 1828, to take the first step towards effecting this most interesting and humane project.

In 1828, Governor Clinton in his annual message to the Legislature, notices this project in these words. "The establishment of a special penitentiary for female convicts, is deemed an object worthy of your favorable consideration ; and it is believed that public opinion, duly enlightened, would sustain this measure, as coincident with the clearest principles of humanity and policy. In the prison erecting at Mount Pleasant, no provision, I am told, is made for the separate confinement, employment and government of females. No

such arrangements are established at Auburn, nor can they be effected without an expence equal to the erection of a new edifice. In the prison at New-York, a large number of female convicts are incarcerated. In the time intervening between the abandonment of that prison, and the transfer of the occupants to the new one at Mount-Pleasant, a provision adequate to the exigency, ought to be made. Female convicts are rare in the counties, and there are but few at Auburn. After the relinquishment of the state prison in New-York, they must be accommodated in the local or county prisons, or confined in the two state penitentiaries, with the male convicts, or placed in an asylum provided for the express purpose. The last resort is certainly most worthy of the character of the state, and best adapted to the spirit of the age."

The condition of the female convicts at Auburn, is thus depicted in the agent's annual report of that year :

"The females are all put together in the attic story of the south wing, and the steward and keeper of the kitchen department has the charge of this also. They are employed mainly in picking wool, knitting and spooling, although to very little advantage, as no means of coercion can be adopted, nor any restraint upon conversation with each other, they being left alone ; except once a day, when the said steward goes with three of his kitchen convicts, and takes their rations and other supplies, and orders out the work they may have done, and other things that become daily requisite. They are visited by the physician when sick, and sometimes by the chaplain."

He further remarks upon this subject : "It is a subject of surprise, that in this enlightened and christian age, female convicts should be confined in the penitentiary, with male convicts ; and it is hoped that the time is not distant, when that wretched class of beings, shall be placed in a separate asylum, where by the aid of matrons, and solitary confinement at night, they may have some chance of improvement."

The very intelligent committee of the Senate and Assembly of that year, in their report upon this part of the Governor's message, present the following, as the views of that joint committee :

"That they fully concur in the views expressed by the late Governor in his message, as to the humanity and policy of a separate establishment for the 'confinement, employment and government of

females.' This important branch of our penitentiary system, has been hitherto neglected, probably on account of the comparatively small number of female convicts, and the impression, which it is to be hoped has been erroneously formed, that reformation in female convicts, can rarely, if ever be effected. Similar impressions formerly prevailed, as to male convicts, and practically, a sentence to the state prison was a moral and civil death to the victim of misfortune and crime. Most happily for the cause of humanity, this illusion has been dispelled. Under our present rigorous, but more humane system of prison discipline, reformation, which charity distinguishes as the first object of human punishment, is often effected, and the convict restored, partially, at least, to the confidence of his former friends.

"From the system hitherto pursued with female convicts, no such benefits could be expected. They have been crowded together in the same apartments—excluded from all intercourse with the reputable part of their sex—compelled to associate only with criminals ; and, as might be expected, are finally discharged from prison, adepts in vice, and destitute of every moral principle. The system which the committee recommend, is, that the females should be kept in separate apartments, in a manner similar to the present mode adopted with males, placed under the charge of matrons, and rigidly excluded from all associations with each other. Although the hope of reformation in that class of females, whose crimes merit so severe a punishment, may be regarded as remote, yet possibility of reform exists even in relation to them. There are many of this class, whose misfortunes may be traced—to the neglect of moral instruction, either by parental precept or example—the seductions of the artful and the vicious—the precipitate abandonment of friends—and despair, and often absolute distress, drives them to a consummation of their guilt and infamy. To such, the kindness and sympathy, and moral instruction of a reputable matron might be profitably applied. The experiment is at least worthy of a trial, and should it prove successful, as we are informed it has in a neighboring state, we shall be richly rewarded for the inconsiderable expenditure which will be required."

The committee further state, that "there are now in the New-York prison, 34 females, and in the Auburn prison, 17. Of these 13 are white, and 38 coloured. This great disparity is probably attributable to the ignorance and degradation of the colored popula-

tion ; and it is much to be feared, that the disparity will be hereafter greatly increased, by the general emancipation which has recently taken place. It is however, hoped, that the general diffusion of knowledge, and the efforts of humane and charitable societies, formed in many parts of the state, will prevent an increase of female convicts, in any degree proportioned to our increase of population."

That committee, in pursuance of their views on this and other matters connected with our state prisons, brought in a bill, which was passed into a law, providing and directing the commissioners for building the new prison at Sing-Sing, to cause a plan, and estimate of probable cost, to be made, of a prison for female convicts, to be erected at Mount-Pleasant, and report the same, &c. to the next Legislature.

This plan and estimate, were procured, submitted to the Senate at their last session, and referred to the standing committee upon state prisons, who in a report submitted by them, to the Senate, remark as follows :

"The commissioners, in further execution of the law of last winter, have procured a plan and estimates of the probable cost of a prison, for female convicts, to be erected at Mount-Pleasant, which are described in their report. [This report is found in the Senate journal of 1829, commencing at page 38, and the particular description of the plan, commences at page 45.] One estimate by a master builder in New-York, contemplates, that the builder shall furnish all the labor and materials, except stone, and amounts to \$51,912,15. The other estimate, by the head mechanics at the Mount-Pleasant prison, all the labor to be done by the convicts, is stated at \$38,673 87; of which the sum of \$5,159 91, for materials, and the remainder is the estimated value of the labour of the convicts. The committee," however, remark, "that in view of the labour, the means of profitable employment, and the required seclusion of these female convicts from the males, but more especially in hopes of their reformation, entertain the opinion, that the proposed prison should not be attached to either of the present institutions, and accordingly their attention has been engaged, and their exertions have been directed to interest the benevolent individuals of some of the principle places upon the North River, to apply to the Legislature for the location of such prison in their vicinity. Such application, originating from the charitable purpose of aiding in the reformation of

these wretched individuals, by their personal attention, and by sustaining and encouraging the matrons and female keepers, who must have these convicts in charge, should, in the opinion of the committee, received a favourable notice from the Legislature. If no such application should be made, the question will remain with the Legislature, to decide what further shall be done on this interesting and embarrassing subject."

The Senate and Assembly, concurring with the committee in their views thus presented, the same general opinion as to the location having been submitted by the commissioners in their annual report, referred back the subject of locating a prison for female convicts to the same commissioners, directing them, by a concurrent resolution, "to ascertain upon what terms a site could be obtained, and a suitable prison built, in the vicinity of some one of the populous villages or cities of this state, which should combine suitable employment with moral instruction, and the superintending care of benevolent females, and to report the result of their inquiries to the (then) next Legislature."

The commissioners, in their annual report to this Legislature, have reported their proceedings upon this concurrent resolution, in these words :

"In pursuance of this resolution, the commissioners have examined grounds in the city of Troy, and in the village of Utica, where several eligible situations may be had for this purpose, as designated on the maps of these places respectively, which accompany this report. At Utica the commissioners have been offered two parcels of land of two acres each, and one of four acres, either of them to be granted to the state in fee, free of expense, upon condition that the prison shall be built on it. Either of the two acre lots are better situated for the prison than the four acre lot, and should be taken in preference. At Troy the commissioners have also been offered a plot of ground of two acres, in a convenient situation for locating the prison, which will be granted also to the state free of expense, upon condition that the prison shall be built on it. They have been offered also a block of fourteen building lots, of fifty by one hundred and thirty each, containing together about two and a quarter acres of ground, surrounded on every side by streets already laid out, the consideration not to exceed one hundred dollars per lot. Twelve of these lots are sufficient for the prison and yard, but it would have it with streets only on three sides.

The expense of erecting the necessary building and wall at either Troy or Utica, will be nearly the same in the one as in the other. At Troy the estimates of several respectable builders amounts to from \$32,000 to \$32,500. A contract could now be closed and security given, to build at Troy a prison, with all its appendages, agreeable to the plan and specification submitted to the legislature at their last session, at \$32,500 ; and if a contract could now be offered to build, or for sealed proposals to build, it is not doubted but that it might be built for less, and for a sum not much if any thing exceeding \$30,000, the contractor to find all the materials and labor ; and the commissioners submit their opinion, that the prison, if built at all, and wherever built, ought to be built by contract, keeping a superintendent present to see that the work shall be done and finished according to contract.

"The estimate from Utica states the probable expense of building at \$30,000, the builder finding all the materials excepting the hardware, iron and iron-work, and they put the iron-work at 12½ cents per pound, which, if added, would raise their estimate to at least \$32,500. But as the expense of materials and labor is much the same in both these places, the cost of building cannot be materially different in either, and which may be put, including a suitable allowance for superintendence in either place, at from 30 to \$32,500.

"The citizens of both Troy and Utica discover a willingness to have this establishment placed in their respective vicinities, provided that the convicts, when discharged from the prison, shall be returned forthwith by the state to the places where they were convicted. And the industrious, moral and religious habits of the citizens of both places warrant reasonable expectations that the necessary attentions for reclaiming and improving the convicts will not be neglected. The flourishing and growing condition of both those places also, renders it probable, that useful employment for the convicts will as readily be found for them in either, as in any other which can be selected. The local situations of those places must be perfectly well known to the Legislature. Troy may be somewhat the most easy of access, still the difference cannot be very material, nor can the expense of rations, clothing, and generally the maintenance and superintendence of the prison, be materially different in either of those places ; and, therefore, if it shall be deemed expedient by the Legislature to build an additional penitentiary for female convicts, the objects in view may be obtained with about equal facility, effect and cheapness, in either of those places."

By the commissioners report, it appears that there were 34 female convicts in the penitentiary at New-York, on the 20th November, 1829, for whose keeping, support and maintenance, the corporation of New-York is paid \$100 a-piece, annually, out of the funds appropriated to the Sing-Sing prison.

The inspectors of the state prison at Auburn again refer to the wretched condition, in respect to moral culture, discipline and employment of the female convicts at that institution. Their number at that prison, on the 31st December, 1829, was 23.

The aggregate of female convicts of the state, is, therefore, 57; and when it is noticed that only the female convicts from the first and second senatorial districts of the state are confined in New-York, and the remainder, equal to three-fourths of the state, are sent to Auburn, the remark of the late Gov. Clinton, above quoted, that "female convicts are rare in the counties," will be fully sustained.

It is supposed by the committee that the aggregate number of female state convicts will not materially vary from that above stated; but this annual average is too large to be continued in their present necessary, but most unfortunate condition. The experiment so successfully made by the state in the improvement of our state prisons, in the productiveness of the labor of the convicts, in their government, the efficacy of the discipline, and of the reformatory means applied to their moral and religious culture, while it shows great advances in the cause of humanity, as well as in that difficult, and hitherto unattainable, art of government, the prevention of crimes without capital punishment, encourages the belief that much may be done, by similar means, upon female convicts. We have already attained that condition when the public treasury is released from the burden of supporting the male convicts of the state, the only appropriations required, being for the erection of the necessary buildings and appurtenances. When they shall be completed, it is confidently believed, that the funds of the state will be entirely released from all calls on account of the two state prisons, and that a surplus will be produced by the labor of the convicts.

This result will arise from a course of government and discipline which is daily and hourly operating upon the habits, temper, and moral sense of those subjected to it; and the facts annually furnished by the officers of the Auburn prison, already prove that the reformatory process of our prison government, in numerous cases, re-

turns to society, instead of the depredator upon individual rights and property, despising all moral restraint, and trampling upon all the principles and laws of society, a healthy citizen, whose habits are corrected, whose flagitious temper is reformed, whose mind is instructed, whose moral sense is elevated. He goes again into society disciplined and subdued, with a trade enabling him to earn a subsistence, and with habits of order, regularity and obedience, which induce him to ply his trade for such useful purpose. The same thing may be expected from similar means correctly applied to the female convicts. We do not mean reformation in all cases, but in some; we do not promise ourselves universal success, but we hope for some; that many cases of this class of perpetrators of crimes may be saved from the utter and absolute moral destruction which attends the present mode of their punishment. Humanity forbids the idea of simple, unalloyed, vindictive punishment on the part of the government. Our own practice proves it to be unnecessary in respect to males, and calls upon the government to no longer practice upon such a principle in respect to females. In respect to them, however, this is the only principle which can be traced, so long as they are confined in the same prison with the males, subject only to the government and admonitions of male keepers. In such a state, no more can be done for them than to confine them to their cells—to keep them shut up, contaminated and contaminating objects of the vindictive power of the government. If the inquiry could be made by any one, why this is so, it is answered by the fact, that male keepers are not fit for the duty of instructing or disciplining females of this class, and can do no more than keep them confined to the apartments provided. If it be suggested that female keepers could be provided at the prisons for male convicts, the answer is at hand,—that no benefit can result except from the care, superintendence, instruction and government of females, possessing the requisite qualifications, of a high sense of propriety, and of their own value; and such will not go into prisons for male convicts to perform the unceasing duties which such places will require of them. Besides, it requires no reasons to be adduced to satisfy any well informed mind, that an entire separation of the sexes is necessary to produce the impressions upon these convicts, which a well regulated and exclusive reformatory system of discipline and government is calculated to create.

It will therefore be seen, that the committee fully agree in opinion with the opinion expressed, as above quoted, by the joint com-

mittee of the Senate and Assembly, in 1828. "The system which the committee recommend is, that the females should be kept in separate apartments, in a manner similar to the present mode adopted with males, placed under the charge of matrons, and rigidly excluded from each other," and that this can only be done beneficially in a separate penitentiary for females.

The law herewith submitted, adopts the plan which seems to the committee well arranged, and the estimates of the commissioners, procured under the law of 1828; providing, however, for such alterations as may be deemed necessary in reference to the site to be procured. The committee propose that the final location should be left discretionary with the commissioners to be appointed, who must necessarily close the contract, notwithstanding the information furnished under the joint resolution of 1829. They also propose to leave this discretion unlimited, except that the location shall be made in some one of the cities of this state, or in the village of Utica: believing that, although the greater number of convicts from the cities upon the Hudson, including New-York, the ready intercourse by that river, of the citizens of all those cities, affording probable means of employment for the convicts, and the cheapest mode of "returning them to the places where they were convicted," and various other considerations indicate the advantage of a location upon the Hudson river, yet that the whole subject may be safely entrusted to the new board, and that the interest of the state, as well as of the institution, may be subserved by so wide a range for selection.

No. 239.

IN ASSEMBLY,

March 4, 1830.

REPORT

Of the Comptroller, on the bill, entitled "An act concerning the sale of land for taxes."

COMPTROLLER'S OFFICE,
Albany, March 4, 1830. }

The Honorable ERASTUS ROOT,
Speaker of the Assembly.

SIR—

Heresewith, I have the honor to inclose a report upon the bill, entitled "An act concerning the sale of land for taxes," referred to this office by the honorable the Assembly, on the 13th February last.

I have the honor to be,
With great respect,
Your obedient servant,
SILAS WRIGHT, Jr.

[No. 239.]

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REPORT, &c.

STATE OF NEW-YORK,
COMPTROLLER'S OFFICE.

The Comptroller, to whom has been referred, by the honorable the Assembly, the bill, entitled "An act concerning the sale of land for taxes,"

RESPECTFULLY REPORTS:

That the bill, in its present shape, only affects the fourth, fifth, sixth, seventh and eighth Senate districts, as its provisions are only extended to those districts; but its object is to make an entire change, within those districts, in the place of sale of lands for arrears of taxes; and, after the first day of January next, to have all such sales made in the counties respectively, where the lands to be sold may be situate.

The subject of the sale of the lands returned to this office for the non-payment of taxes, is one very little understood by the public generally, and the difficulties of keeping the accounts of those returns, accompanied with an intelligible description of the lands charged with any given tax, is much less understood. Hence, it will be found that any material change in the mode of selling, and particularly, any considerable multiplication of the number of agents to be employed in making the sales, and, especially, if those additional agents are to be so employed, without the possibility of acquiring the requisite information to enable them to understand the business in which they are employed, and without any previous experience in the manner of keeping the tax books, or in the mode of conducting those sales, will be likely to produce serious if not irremediable confusion, and very much to endanger, not only the interests of the state in the collection of the taxes, but the safety of the titles of the proprietors of the lands charged with unpaid taxes. That difficulties exist in the present system of selling lands for taxes, is no doubt true; and that cases of individual hardship grow out of these sales, is abundantly proved by the experience derived from every sale which has ever taken place. But that

these cases are more frequent than in other transactions of business equally complicated, and passing through the same number of hands, and with the same impossibility of arriving at perfect accuracy, and of avoiding all mistake and all error, is not believed.

It should be recollected, that the assessments for all the state and county taxes returned to this office, are made in the town respectively where the lands are situate, and by officers chosen for that purpose by the persons to be taxed, except as to owners of non-resident lands. Three of these officers are chosen for each town, and their local information in their different districts or sections, is combined with the information they can obtain from the records of their town, from the several individuals assessed, and from other sources, to produce a correct description of the lands. They then meet together, and the collected information and judgment of the board of assessors is employed in making out the assessment roll for their town. A fair copy of this roll, thus made, is left with one of their number, and public notice is given, for the period of twenty days, of the place at which the said copy may be seen and examined by all the persons interested in it, or who may be desirous of examining it; and also of the time and place of the meeting of the board of assessors, after the expiration of the said twenty days, to review the said roll, upon the application of any person "considering himself aggrieved."

These are the precautions now secured by the law, to insure a correct assessment of property liable to be taxed, and an exemption of property not liable.

After this review and correction of each assessment roll by the assessors of the several towns, the roll thus corrected is delivered to the supervisor of the town, and by him presented to the supervisors of the county, at their annual meeting. This body again are expressly required, "to make such alterations in the descriptions of the lands of non-residents, as may be necessary to render such descriptions conformable to the provisions of *this chapter*;" (meaning the tax law;) "and if such alterations cannot be made, they shall expunge the descriptions of such lands, and the assessments thereon, from the assessment rolls." (See chapter thirteen, title second, section thirty-second, part first, of the Revised Statutes.

To perform this duty, there is a body of men, consisting of one from each town in every county, selected by his town to hold the

first and most responsible office in it, and it is believed that observation will prove these selections to be of the most judicious character. Here, then, is a collection of local information from every town in each county, as well as a collection of discreet and thinking men, under whose supervision these assessment rolls are all to pass, with especial reference to the lands liable to be returned to this office, and consequently to be sold for taxes.

From this scrutiny, each assessment roll, with the amount of tax imposed upon each individual or lot of land mentioned upon it, goes into the hands of the collector of the town of which it is the assessment. The collection of the resident tax compels him to call upon all the inhabitants of the town, and the interest of each individual, when paying his tax, would seem to be a direct inducement to him to examine the property upon which he pays, and to see that it receives the credit of his payment.

After the collections are completed, the collector makes his return to the treasurer of his county. If any taxes upon his roll remain uncollected, he is to make an account of them upon oath, setting forth the taxes and the property upon which they are respectively charged; that they remain unpaid, and that he has not been able to levy and collect the same; upon the delivery of which account, so made upon his oath, to the county treasurer, he is to receive credit for such unpaid taxes. It is then the duty of the county treasurer to compare such account of unpaid taxes, or so much thereof as contains the account of those taxes assessed upon the lands of non-residents, with the original assessment roll of the town in which the lands are situate; and, if he finds it to be a true transcript thereof, to add to it his certificate, showing that he has compared the account with the assessment roll, and found the same to be correct. He then is to send the account, with the affidavit of the collector and his own certificate of its correctness, to the Comptroller's office.

These accounts of unpaid taxes upon the lands of non-residents, being received at the Comptroller's office, are carefully examined, and the descriptions of the several lots and pieces of land mentioned in those accounts are carefully compared with such maps and surveys of the several townships, tracts, and patents of the lands, as are on file in this office, and as are to be obtained; and if any of the descriptions are found, upon this comparison, defective or erro-

neous, the taxes upon such lots are rejected ; while such lots and tracts as are believed to be well described, together with the taxes assessed thereon, are entered upon the books of this office ; and thus is formed what is denominated the tax book of each year.

These are the guards furnished by the present tax law against mistaken descriptions and erroneous assessments. The bill referred proposes, and as it is understood, for the purpose of adding to the safety of the proprietors of non-resident lands, to hold the sales of those lands, for the taxes chargeable upon them, in the several counties where the lands may be situate.

In order to determine how far this change from the present mode of collecting these taxes, will be calculated to promote the object designed, it will be necessary not only to consider the guards before mentioned, thrown, by the present law, around the rights of these individuals, but also to examine the alterations which will be produced in the various steps to be taken subsequent to the time of completing the tax book, and before the completion of a sale for arrears of taxes. The present tax law evidently contemplates a sale once in two years ; but it will be seen, by an examination of the different provisions of the law, that so frequent sales are nearly impracticable, and that, if attempted, they would prove a severe burden upon the purchasers at those sales, and be likely to produce great confusion in the titles to lands charged with taxes and returned to this office.

When a sale for taxes is to take place, the first business, with reference to it, in this office, is to make a transcript, from the tax books of the several years, the taxes for which are to be included in the sale, of all the taxes which have not been paid at the time of making the transcript. The amount of this labor may be estimated from the fact that the tax book for each year is a volume of the largest leger size, and containing about one thousand pages ; and one such volume is to be transcribed for the taxes of each year included in the sale.

The object of making this transcript is to bring all the taxes upon the same lot together ; and consequently it will be seen, that, in making it, the labor is much increased by having to resort to the book of each year for every lot copied into it. This being done, and carefully compared with the original books and corrected, the book denominated the sales book is commenced. This is made

from the transcripts, upon paper of the same size with the tax book, properly ruled and prepared, leaving opposite to the entry of each lot, the necessary blank columns, to make the entry of the payment of the tax, if it takes place before the sale ; or of the tax, the interest, the charges, and the total for which a sale is to be made, of the part of the lot sold, of the number of acres sold, and of the name of the purchaser, in case the tax is not paid before the sale ; and of the time of redemption, the name of the person redeeming, and the amount paid to redeem the same, in case the part sold is redeemed ; all these entries being made in separate columns. The whole transcript is copied on to sheets prepared in this manner, and when bound, they did for the last sale, and do for the next, constitute four volumes of about five hundred double pages each.

From these books, thus prepared, what is called the tax advertisement is made, it being a mere abstract from the sales book, containing the number and some very concise and abbreviated description of each tract and of each lot, the greatest number of acres returned for taxes in any one of the years to be included in the sale, and some designation of the part of the lot returned when but part has been returned, or of the part charged with taxes where part has been paid. But this advertisement does not contain any mention of the amount of taxes, interest, or cost, chargeable upon any lot, or of the years for which those taxes have been assessed. It is intended as a notice to the owner of the lands, that taxes are unpaid upon the lots mentioned in it, and that sales will be made for the arrears, if they are not paid within the period specified in the notice ; but it has not been expected, by these advertisements, to give to the person interested, more minute information than is necessary to warn him of his danger, and to lead him to the place of payment, where additional information is to be found. To give these particulars in the notice, would add to its bulk in a ratio at least equal to its present size, for every year's tax included in it, and would consequently add, in the same ratio, to the expense of publishing and distributing the pamphlets, to be charged upon the lands advertised. Copies of the notices for the coming sale have been laid upon the tables of the members of the Legislature, from which they can judge of the present size of these notices, and consequently of the inconvenience of enlarging them.

Copies of these tax advertisements are now sent to every county treasurer, and to every town clerk, in the state, at least eighteen

weeks before the sale is to commence, and notices are inserted in at least one newspaper in every county, for the same length of time, informing the public that these advertisements are in the offices of the county treasurers and town clerks, and when the sales will commence. In addition to this, it is made the duty of every town clerk, at the annual town meeting of his town, to give notice at the opening thereof, that the lists or advertisements are deposited in his office, and that they may be there seen and examined, at all reasonable hours, free of expense.

Such are the measures now to be taken, to put the proprietors of lands upon their guard against sales for arrears of taxes, and the foregoing concise history of the preparations for one of these sales, will give some idea of the labor to be performed at this office, prior to the commencement of the sale. It can hardly be necessary to remark, that, in doing all this labor, the utmost care and attention is requisite, to avoid mistakes in numbers, descriptions, amounts, and quantities, and that the title to lands may be disturbed by every error. The original returns from the towns, received through the county treasurers, form the basis of the whole proceeding, and every increase of a copy from them, or from copies taken from them, increases the danger of mistakes.

At this stage of the preparations for a sale, the bill referred interposes its provisions, and removes the place of sale to the county where the lands lie.

The second section of the bill makes it the duty of the Comptroller, after distributing the general pamphlet advertisement, in the manner before described, to the county treasurers and town clerks, to "cause to be published, once in each week, for eight weeks successively, in one at least of the public newspapers in said county, a list of the lots of land in that county, part or all of which are liable to be sold for taxes," with the requisite notice of the time of sale, and fixes the place of sale at the place where the last court of common pleas for the county shall have been held. A compliance with this provision would require a copy of the tax advertisement, so far as it concerns the lands of each county, to be made and transmitted to the printer of some newspaper in the county, for publication. This addition to the labor of this office would not be very important, as the whole would constitute but one copy of the whole advertisement, and perhaps a printed copy from the general list, with the mere addition of the necessary notice, might be made to

answer the purpose. It should, however, be provided, that no error in these newspaper advertisements should be held to vitiate the sale of any part of the lot in relation to which the error might exist, as experience shows that the danger of errors in setting the types for so difficult notices is by no means less than in making a written copy ; and as neither the Comptroller nor any of the persons in his employ, and acquainted with the subject, can have an opportunity to correct these proofs, a care never omitted in the printing of the general lists. The printing of these advertisements would be an expense in addition to the expenses now incurred for this object, with the exception of the very short notices above referred to, as inserted in one newspaper in each county. And as the notice of sale to be connected with the list of lands for each county, would at least equal the notice at present required, the publication of the lists of lands in this way may fairly be considered as so much added to the expense of advertising. That some estimate of this expense may be had, the Comptroller has calculated, from actual count of several pages, the number of folio of one hundred words each, contained in the list of lands to be sold at the coming sale ; and he believes the number of folio cannot fall short of seventeen hundred. The allowance, by law, for this printing, would be fifty cents per folio for the first insertion, and twenty cents each for the remaining insertions. The expense for this list, therefore, if the whole state were included, would be as follows :

For printing 1700 folio, first insertion, at 50 cts.	\$850 00
For " 1700 " seven " at 20 cts.	<u>2,380 00</u>
Total,.....	\$3,230 00

This would be an additional charge upon the lands advertised.

The third section of this bill requires, that "at the time and place of sale designated by the notice mentioned in the last foregoing section, it shall be the duty of the county treasurer, or in case of his inability to attend, it shall be the duty of the sheriff or the clerk of said county, to attend and conduct said sale of lands;" and then provides for the continuance of the sale until the whole amount of taxes charged upon the lands are realized. It will be observed, that no provision has as yet been made; and by examining the remaining sections of the bill, it will be seen that none is made, to furnish these officers with the information necessary to render it possible for them to make these sales. If these two sections

of the law are complied with, and nothing more is done, they can only be in possession of the general tax advertisement, and of the list of the lands published in their county paper. Neither of these, as has been shown, will contain the different years for which any piece of land is taxed, the amount of tax in each year, nor the whole amount chargeable upon the respective lots. Indeed, a sale cannot be made without a transcript of the sales book, prepared in this office, in the manner which has been before described, and containing the necessary blanks, to be filled as the sales should progress. This would be so much labor added to the present duties of this office; and its magnitude may be judged from the description of those sales books, before given, containing, as they do, more than two thousand double pages of the largest size of leger paper. The difficulty, if not impossibility, of sending these transcripts to the counties when made, in any other way than by a special messenger, will be apparent from the size of the paper, and from the fact that the transcript for some single counties would occupy one hundred sheets.

But other difficulties of a more serious nature, exist in relation to transferring these sales to the counties, if the foregoing were obviated. A pressure of calls for the payment of taxes is always experienced, after the notices for a sale are issued, and that pressure will naturally increase as the sale approaches, and indeed to the very commencement of it. The receipt of payments would, however, necessarily be suspended, during the time required to make and transmit to the counties the before mentioned transcripts of the sales books; and the performance of this service would occupy nearly the whole time between the issuing of the public advertisements and the commencement of the sale, with the aid of all the hands which could be employed in making the transcripts. No payment of a tax could be received in the county, until the transcript should be received by the officer to have charge of the sale, as he would not, till then, be in possession of the amount to be paid; and no payments could be received at this office, after the tax to be paid should have been transferred to the transcript, without producing the danger, if not the certainty, of receiving and discharging the tax upon the books of this office, and, at the same time, of sending the lands upon which it was charged, to the county, to be sold.

It has been suggested, that the sales might go on in the counties, and at the same time payments continue to be received at this office, without any considerable impropriety, in as much as if, when the return of sales should be received, any of the taxes should prove to have been paid here, for which sales had taken place in the county, the purchaser in the county could have his money refunded to him, by calling at the state treasury, as in case of redemption. At first view, this suggestion appears practicable, but when it is considered, that the purchaser at the tax sale, receives no interest upon his money, paid for redemption and laying in the treasury, it might not be exactly just to him, to receive his money, at a sale, merely to put him to the trouble of going to the seat of government, to obtain the same money in return; the tax, for which he ostensibly purchased, having been paid some days, and perhaps months before the purchase. The charges of the sale too, which are made only upon the lots sold, would in this way, fall upon the state, as the person paying the tax before the sale, would not be charged with them, and the purchaser at the sale would at least be entitled to the money he should actually pay.

Another difficulty however, would seem to preclude the possibility of acting upon this suggestion, but which can only be made intelligible, by assuming a case, as illustrative of the difficulty referred to.

Suppose a mile square lot, of 640 acres, to be returned, charged with taxes, and to be sent to the county, upon the transcript from the sales book in this office, to be sold for the arrears due upon it. Instructions would be given, to sell from a particular part or corner of the lot, as this has been, and in all future sales must be, necessary to preserve a uniformity in the entries in the sales books. Suppose then further, that the mile square lot, is the property in severalty of a number of individuals, though returned entire at this office for the taxes, a case by no means unusual upon our tax books.

The sale goes on, and 50 acres of this lot, in a particular part or corner, are sold for the amount of taxes and charges due. In the mean time, the several owner of this 50 acres, calls at this office, and pays the taxes upon his share of this whole lot, being the very same 50 acres sold in the county, for the taxes due upon the whole lot. The purchaser at the tax sale, surely cannot hold any of his purchase, as in the supposed case, the taxes due upon that part will

have been paid before the sale, and of course that part will have been discharged from liability.

What then would be the power to refund? Only in the proportion which the payment upon the part upon which it is made, bears to the whole number of acres charged. The result of such a case would therefore be, that the purchaser at the tax sale, would buy 50 acres, and would pay therefor the taxes and charges due upon the whole 640 acres. In the mean time the owner of the 50 acres sold, would have paid the taxes thereon, at this office, and by such payment, would have discharged the said 50 acres, from a liability to be sold. The purchaser at the tax sale then calls at this office, and finding that the taxes had been paid upon the part of the lot purchased by him, and that therefore he could take no land by his purchase, makes his application for the repayment of the money paid by him for the purchase.

He will find, that of the whole 640 acres charged, the taxes have been paid upon but 50 acres, and that no more money can be refunded than the sum paid in. He will therefore, instead of the money paid by him at the sale, only obtain a portion of that money as 50 is to 640; or if the whole is repaid to him out of the treasury, then the state either discharge the whole sum due upon 640 acres of land for the proportion due upon 50 acres of the same land, or repay the money and hold the remaining 590 acres still charged with their proportion of the tax, to be again collected, when some future sale shall take place. For these and other reasons, it is believed that this suggestion should not be acted upon.

After a sale should take place in any county, the transcript sent from this office, with the blanks filled according to the facts transpiring at the sale, would have to be returned to this office, to the end that the same blanks might be filled in the sales books in this office. The danger of errors in these entries, even when made at this office, and by clerks acquainted with the business, has been found to be by no means inconsiderable, but when made at a different office, and by a different person in each county, and altogether by persons having no acquaintance with the keeping of these accounts, it would seem to be insurmountable. It is nearly indispensable too, that a perfect uniformity should be observed, in the manner of making these entries, as they must necessarily be made in a very abridged form, and this could hardly be expected, if the sales are to

be made by so great a number of persons having no concert or understanding with each other.

Other important difficulties might be suggested, in carrying the principle of this bill into effect, but the Comptroller is practically so slightly acquainted with the subject, and so fully sensible of his inability to communicate these difficulties intelligibly by writing, that he refrains from enlarging upon them, and respectfully suggests, that a short examination of his office, will give a better view of the subject, than can be given in a report to those not now conversant with the manner of keeping the accounts of non-resident taxes here.

The fourth section of the bill among other things, provides, that "if any purchaser shall neglect or refuse to pay the same," (alluding to his bids,) "when demanded, the person conducting such sale, shall re-sell the land." This provision, it is believed, might be found very inconvenient in practice. The person superintending the sale might find it very troublesome to make demand of all the persons bidding at the sale, and in case mischievous or designing individuals should choose to make feigned bids, he might find it still more troublesome to bring his sale to a close. The present law requires the bidder to pay his money into the treasury within forty-eight hours after the sale; and in case of failure, it is made the duty of the Comptroller to state an account against him, and deliver it to the Attorney-General, who is imperatively required, forthwith to institute a suit thereon. To consider the sale of each lot or piece of land contingent until the bid should be demanded and payment refused, and to hold the sales open, in order that a re-sale might be made in case of non-payment, would endanger the accuracy of the accounts, by requiring two or more entries of the sale of the same piece of land; would give to the bidders great advantage, by enabling them, in case competition had reduced the quantity of land sold for any given tax below their wishes, to refuse to pay the bid, for the very purpose of gaining another opportunity to make a better purchase, when the competitors might be absent; and would create a general uncertainty, as to every sale, entirely incompatible with accuracy and expedition in conducting them.

The fifth section of the bill is conformable in its provisions to the present law, with the exception that the certificate of sale is to be given by the person who conducts the sale, instead of the Comptroller. It should be recollectcd, that each of these certificates must

correspond exactly in its description of the piece of land sold, if a whole lot or piece, as returned with the description of that lot or piece as entered in the books of this office, and, if but part of such lot or piece, must be consistent with the description of the whole, as found upon these books, or that no deed can be given. The danger of variances in these descriptions is found to be very considerable, when the sales are made here, and the certificates are delivered from this office. The increase of this danger will be estimated by the Legislature, when they consider the change proposed, and the great number of persons who are to give the certificates, all of whom are practically unacquainted with the business they are called to perform.

The sixth section directs the mode of making returns of the sales and of accounting, by the person who shall conduct the sale in each county. It may, perhaps, be proper to inquire whether some surety for the faithful execution of these duties, and for the proper application of the moneys to be received, should not be taken from these officers. It is supposed that the sureties of the county treasurers, or of the sheriffs, given under the existing laws, and for the faithful performance of their present duties, would not be responsible for any defaults which might be made by their principals in the discharge of these new duties; and the clerks of counties, if the management of the sales should devolve upon them, give no bail for any official acts. Still this bill, if passed, devolves upon the officer who shall superintend any sale for taxes, a pecuniary responsibility far greater, in many of the counties, than any now attached to either of the offices. It should not be forgotten, that under the present law all payments at these sales are made into the treasury; that the receipt obtained by the purchaser, or person paying a tax, is the same as is given for any other payment due to the state, and goes through the same forms of check-entry and counter-signature in this office; and that no money comes into the hands of the person who makes the sales. His accounts of the sale, however, are checked by those of the treasurer who receives the bids, while the treasurer's accounts are again corrected by the entries at the sale, and both are to compare with the tax and sales books. These checks will be lost if this bill is passed, and the change proposed by it made in the sales, as the duties both of the Comptroller and Treasurer will be united in the same person; and, although any mistakes he may make will finally be detected, when his returns shall be made at this of-

fice, yet it may then be too late to make the corrections without injury to the rights of individuals or loss to the state. For these reasons, as well as to secure the making of the returns and the payment into the treasury of the state of the money collected, it is respectfully suggested, that prudence might require some guaranty for the correct and faithful performance of these duties.

The compensation to be paid to the officer who shall take charge of these sales is left, by the seventh section of the bill, to be fixed by the Comptroller. Although it may be difficult for the legislature to fix upon this compensation, yet the question is one of so much importance to the officers concerned, and so directly interesting to the owners of the lands, to be charged with the amount allowed, whatever it may be, and the necessity of having that compensation uniform, according to the labor to be done or the amount of money to be collected, is so great, that it is respectfully urged that the sanction of the legislature only ought to regulate the allowance. Another and an imperative reason for adopting this course, will be found in the consideration that the sum to be paid must be fixed before the sale, in order that the amount to be charged upon each lot, and for which it is to be sold, may be ascertained. To do this when the sales are made by the Comptroller, is not difficult, inasmuch as the only additional expense created by the sale, under the present system, is the compensation paid to the auctioneer employed to make the sales, who is hired by the day or by the job, and at a low rate of compensation, fixed by contract before he enters upon the service. The clerk-service necessary, and which must be a very considerable charge under the proposed mode of selling, is now performed by the clerks permanently employed in the comptroller's office, and for which no charge is made as part of the expenses of the tax sale. The compensation to the officers superintending the sales will also be in payment for services now performed by the Treasurer and Comptroller, and for which no charge is made to the lands to be sold. These being new charges, to be incurred by the change, it is respectfully suggested that the Legislature can as well fix their amount as the Comptroller can do it, and that it is a matter of such importance as to require their sanction.

Finally, the Comptroller is clearly of the opinion, from the consideration which, during the pressure of his official duties, he has been able to give the whole subject, that the change proposed by this bill in the mode of making sales of lands for taxes will be found

inconvenient and dangerous in practice ; that it would enhance, very considerably, the expenses of these sales ; that it would contribute very little, if at all, to the safety of the proprietors of lands charged with unpaid taxes, either by calling their attention more generally to their danger, or by enabling them more easily to correct any errors or mistakes in the return or description of their lands ; that it would diminish very materially the competition at those sales, by opening them at thirty-seven places at the same time instead of one, and that the effect of lessening the competition would be to increase, in the same ratio, the quantity of land to be sold to pay the same tax ; and that for these and other reasons it would be injurious rather than beneficial to the proprietors of the lands concerned. So far as relates to the correction of mistakes in the returns of the assessors being facilitated by making sales in the counties, the opinion above expressed is formed from a knowledge of the fact, that the most of those mistakes proceed from misapprehension as to the numbers and descriptions of lots by the owners themselves, in consequence of which, they do not recognize their own lands when they see them advertised ; and the further fact, that as many of those mistaken sales and mistaken returns, in proportion to the number of lots returned, are found in the county of Albany, as in any county in the state. He is, therefore, of the opinion that few benefits would be derived from the passage of this bill into a law, and that great additional labor and expense would be incurred, and that great evils and incurable errors would be hazarded by it.

There is one other subject which may be worthy of the consideration of the Legislature, in case they should conclude to adopt the principles of the bill referred.

It has long been customary to levy local taxes for local objects, such as making roads, draining swamps and the like, and which custom will probably be continued by the Legislature.. In all these laws provisions are contained for the return of the lands upon which the taxes remain unpaid, to this office, and for their advertisement and sale.

Several of these cases are now in a course of preparation for a sale : one is included in the coming general tax sale, and one other is now advertising in the newspapers. Other returns are but just made, and time has not yet permitted the commencement of an advertisement. It is respectfully suggested, whether, if there is a ne-

cessity for making the general sales for taxes in the counties, it does not apply with much more force to these taxes which are purely local, and generally confined to a few contiguous counties, and whether the provisions of the bill ought not to be extended so as to embrace these taxes also.

All which is respectfully submitted.

SILAS WRIGHT, Jun.

Dated Albany, 4th March, 1830.

[No. 239.]

3

IN ASSEMBLY,

March 4, 1830.

REPORT

**Of the Canal Board, on the reference to that Board
of the petition of Andrew P. Tillman, by the
Hon. the Assembly.**

The canal board, to which was referred a resolution from the Assembly in relation to the petition of Andrew P. Tillman, for extra allowance on a contract for constructing divers locks on the Cayuga and Seneca canal, and requesting the board to report "what proceedings were had by said board upon the application of said Tillman for extra allowance made to him in 1828, or at any time since, and upon what principles said extra allowance was made; and whether said extra allowance was intended to embrace all extra expenses and labor occasioned by the new directions given by the canal commissioners or their agents, after the making of the contract; also all such extra expenses and labor which arose in consequence of the work proving to be of a different character than was contemplated by the commissioners or engineer, at the time of making the contract"—

RESPECTFULLY REPORT—

That on the 19th of February, 1828, the case of Andrew P. Tillman for an extra allowance on the contract of himself and Wilson N. Brown for constructing locks Nos. 3, 4, 5, 6, 7, 9 and 10, was heard before the canal board. A copy of the testimony taken in the case, embracing the original contract and the estimate of the engineer, is annexed to this report, marked A. On this testimony an allowance was made to Mr. Tillman of \$6,685, over and above his contract price. This allowance was made before the con-

[No. 240.]

tract was completed, and after the petitioner had progressed so far as to afford the engineer the means of forming, as it was supposed, a pretty fair estimate of the difference in the character of the work from what was contemplated previous to the contract. And the allowance was made prospectively as well as retrospectively; and this was done at the request of Mr. Tillman, to enable him to go on with the work.

For a more particular statement of the proceedings in relation to the extra allowance in 1828, and the principles upon which said allowance was granted, reference is made to the report of the acting commissioner, presented to the Assembly in 1829, and which is among the papers referred; and also to the estimate of the engineer who superintended the completion of the locks.

After the prospective allowance above referred to, Mr. Tillman in completing the locks, encountered still further unforeseen expenses, beyond the original contemplation of the engineer, and more than he expected when he made the estimate on which the allowance of \$6,685 was made; and the engineer gave a second estimate for an extra allowance dated September 23, 1828, and which in the arrangement of the papers referred, is marked No. 6. In the fall of 1828 or winter of 1829, Mr. T. presented himself again before the canal board, and asked for a re-hearing of his case, which was denied by the board, in respect to all such parts of the contract as had entered in the previous estimate of the engineer, and had been acted upon by the board. But the petitioner was given to understand, that a further extra allowance for the difference in the character of the work, as estimated by the engineer, and which might amount to 7 or \$800, would probably be made by the board. On this state of facts the petitioner chose to present his whole case to the legislature, and withdrew his papers.

By the terms of the general law the canal board is prohibited from making any allowance in consequence of the unfavorable terms of the contract. If, for example, a contract is made to excavate rock at twenty-five cents, when in the contemplation of the engineer before the letting, it was worth fifty-cents; and if, after the work is completed, the engineer estimates the actual cost at seventy-five cents, the canal board can make an extra allowance of only twenty-five cents, in consequence of the difficulties not foreseen by the engineer, and in which case the contractor suffers a loss of twenty-five

cents per yard, in consequence of the unfavorable terms of his contract.

In this view of the law the two estimates made by the engineer, Mr. Dennis, were "intended to embrace all extra expenses and labor occasioned either by the new directions given, or in consequence of the work proving to be of a different character from that contemplated by the commissioner or engineer."

It is believed by the acting commissioner, that the petitioner has sustained a loss even beyond the allowance which could be made to him on the last estimate of the engineer, but not by any means to the amount set forth in his petition.

A. C. FLAGG,
S. YOUNG,
H. SEYMOUR,
Wm. C. BOUCK,
SILAS WRIGHT, Jr.,
GREENE C. BRONSON,
A. KEYSER.

Albany, March 4, 1830.

DOCUMENTS.

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(A.)

19th February, 1828.

Testimony taken by the Canal Board in the case of the petition of Andrew P. Tillman, for an extra allowance on his contract to construct locks Nos. 3, 4, 5, 6, 7, 9 and 10, of the Cayuga and Seneca canal.

(Petition read.)

Contract read in evidence.

Statement of Noah Dennis, engineer, marked B, admitted, and read in evidence.

Horace Sexon was called, and testified—that he has been engaged two years on the canals, was in the employment of the petitioner during the construction of the locks. Witness discontinued work at the request of the engineer, because the work could not be properly done.

Wm. C. Bouck, canal commissioner, was called, and testified—that he was not positive twenty cents per yard was a sufficient compensation for the excavation of the lock pits.

Whereupon, on the 22d February, 1828,

The board *Resolved*, That there be allowed to Andrew P. Tillman, over and above the contract price for the building of locks Nos. 3, 4, 5, 6, 7, 9 and 10, of the Cayuga and Seneca canal, the sum of \$6,685, to be paid him by the commissioners of the canal fund, as the work progresses, and in such sums and at such times as Mr. Bouck, acting canal commissioner on said canal, shall certify.

Articles of agreement made and concluded this 28th day of August in the year 1827, between Andrew P. Tillman and Wilson N. Brown, of the first part, and the canal commissioners of the state of New-York of the second part, *Witnesseth*, That the said parties of the first part covenant and engage to construct locks Nos. 3, 4, 5, 6, 7, 9 and 10 of the Cayuga and Seneca canal, and excavate the lock-pits, and also construct sections Nos. 11 and 12, make road-bridge on section No. 11, and complete the locks by the 1st day of November next, and the sections by the first day of June next. Every part of the work comprised in this contract shall be done according to the plan and directions of the said commissioners or either of them, or of their engineers, and subject to such alteration, from time to time, as they or either of them shall direct. And the said commissioners agree to pay the said parties of the first part for completing this contract, as follows, to wit: for all necessary excavation within the banks of the canal or under them, at the rate of 9½ cents per cubic yard, for embankment 10 cents per cubic yard,

for grubbing and clearing at the rate of \$1.75 per rod for sections Nos. 11 and 12, and \$187.50 for road-bridge on section No. 11; and for constructing locks Nos. 3, 4, 5, 6, 7, at the rate of \$181 per foot lift; and for locks Nos. 9, 10, at the rate of \$165 per foot lift, which price is to include all the expense necessary to a full completion of said locks, in every respect: and for excavating lock-pits at the rate of 20 cents per yard, excepting 200 yards in lock-pit No 6, for which 75 cents is to be paid. This contract, in every stage of its progress, shall be subject to the inspection of the said commissioners or either of them, or of their engineers; and to prevent all disputes and misunderstandings, it is agreed that the said commissioners or either of them, shall be authorised to appoint such person as they or he may think proper to be the inspector of said works: and such appointment may be changed and made, from time to time, at the pleasure of the said commissioners or either of them. And the inspector thus appointed shall be authorised to estimate the quantity of every description of work comprised in this contract, and to decide every question which can or may arise, relating to the execution of this contract on the part of the said parties of the first part; and his estimates and decision shall in all cases be final and conclusive upon the said parties of the first; and whenever, in the opinion of the said inspector, this contract shall be fully completed, on the part of the said parties of the first part, he shall certify the same in writing, together with his estimate, as aforesaid. Whereupon, within sixty days after notice thereof, the said commissioners shall pay to the said parties of the first part such sums as shall then be due them. *Provided*, Said sum be not demanded more than one month before the expiration of this contract. And the said parties of the first part do further agree, that if at any time, in the opinion of the said inspector, the said parties of the first part shall unreasonably neglect, or refuse to prosecute this contract, or shall not conform to such directions as may be given by the said commissioners or either of them, or of their engineers, relating to the manner in which any of the work included in this contract, or any alterations therein, as aforesaid, shall be made—in either of such cases, the said inspector shall have power to determine that said contract is abandoned; and on such determination the said commissioners shall immediately be released from all obligations to the said parties of the first part, and may let out said contract or any part thereof to any other person or persons.

ANDREW P. TILLMAN, [L. S.]
WILSON N. BROWN, [L. S.]

Mm. C. BOUCK,

In behalf of Canal Commissioners.

Witness present,
N. DENNIS.

February 4th, 1828.

Cayuga and Seneca Canal.

Estimate for Locks No. 3, 4, 5, 6, 7, 9, 10.

Lock-pit No. 3. 1760 cubic yards excavation, not so hard as to justify extra allowance, but the extra expense of pumping, in which a great number of hands were employed day and night, is estimated at	\$1,000 00
Lock-pit No. 4. 760 cubic yards excavation, not so hard as to justify extra allowance, and 500 cubic yards do. slate rock, harder than was expected, and on which 25 cents per yard extra price should be allowed,.....	125 00
This lock is in a loose soil, and descends from the level which feeds W. Mynderse's flouring mill. While the work was in progress, the upper level was filled to supply the mill, and the consequent expense to the contractor of keeping out the water which flowed and will flow through the banks and dam and subsoil, is estimated at.....	200 00
The damage from a breach in the dam which Myn- derse was permitted to build, at the head of this pit, the contractor estimates at	150 00
Lock-pit No. 5. 900 cubic yards excavation, not so hard as to justify extra allowance, but the expense of pumping is estimated to be \$400 more than was expected,..	400 00
Lock-pit No. 6. 1270 cubic yards excavation, not so hard as to justify allowance beyond the terms of the contract, except 200 yards, which proving to be much harder than was expected, is estimated to have cost 55 cents per cubic yard extra,.....	110 00
Lock-pit No. 7. 2700 cubic yards excavation of rock. 240 cubic yards of this excavation, was of lock stone. To preserve which, and place them properly, is estimated to have cost 20 cents per yard,	48 00
Lock-pit No. 9. 630 cubic yards excavation, not so hard as to justify extra allowance. 1200 cubic yards of very hard rock. In consideration of the hardness of this rock, of the expense of a crane to be worked by horse power, necessary from the difficulty of breaking up the rock, and of the probable expense of keeping out the water, an extra allowance of \$1.20 per yard will be proper,	1440 00

Carried forward.....\$

Brought forward,.....\$	
Lock-pit No. 10. 1450 cubic yards excavation, 500 of which was more expensive than was expected, by 50 cents per cubic yard,.....	250 00
Locks No. 3, 4, 5, 6, 7, lift 40-65 feet,	708 00
Locks No. 9 and 10 " 14-3 "	1,750 00
Allowance on paddle gates,	504 00
	<hr/>
	\$6,685 00

Locks No. 3, 4, 7 and 10, are constructed in all respects for 1 foot extra lift, on account of floods of the outlet, which 4 feet additional lift should be allowed at contract price. The extra timber and plank which will be required (by variations from the model) to finish each lock, is estimated at \$250. And the contractor had no reason to expect that his paddle gates would cost more than those generally used on the Erie canal.

NOAH DENNIS,
Resident Engineer.

Note.—The preceding estimate is made for the completion of the works mentioned therein.

M. DENNIS.

[Copy.]



The canal commissioners, to whom was referred by the Hon. the Assembly, the petition of Andrew P. Tillman, claiming an allowance on his contract for the performance of work on the Cayuga and Seneca canal, Respectfully report:—That the petitioner, and Wilson N. Brown, entered into a contract on the 28th of August, 1827, for constructing locks No. 3, 4, 5, 6, 7, 9 and 10, and sections No. 11 and 12.

An allowance is claimed on that portion of the work which appertains to the construction of the locks.

The contract prices for this part of the work were as follows, to wit: for constructing locks No. 3, 4, 5, 6 and 7, at the rate of \$181 per foot lift, and for locks No. 9 and 10, at the rate of \$165 per foot lift, which price includes every expense necessary to a full completion of the locks, except excavating the lock-pits, for which he was to receive twenty cents per cubic yard, excepting 200 cubic yards of lock-pit No. 6; for which seventy-five cents per cubic yard was to be paid.

Subsequent to the execution of the contract the plan of the locks was in some respects changed, which increased the quantity of timber, and the expense of their erection.

The pits of locks No. 3, 4, 5 and 9 were located near the margin of the Seneca outlet, and required to be sunk several feet below the surface of the water. The petitioner experienced serious, and no

doubt unexpected difficulties, in performing this part of the work, and particularly in excavating the pit of lock No. 9, where the rock was found near the surface, and of the most difficult character.

The pits of locks No. 6 and 7 were mostly rock excavation, and also a portion of the pits of locks No. 4 and 10.

The petitioner's contract prices were considerably below the value of the work. He also claims that he has sustained a loss on other parts of his work.

The claim of the petitioner was presented to the canal board in February, 1828, and an allowance of \$6,885 was made on such parts of the work as were rendered more expensive by new directions given by the commissioner or engineer, after the making of the contract, or where in consequence of the work proving to be of a different character or description than it was contemplated to be by the commissioner or engineer, at the time of making the contract.

By a reference to the estimate of the engineer, (which is hereto annexed) the nature and extent of the allowance will appear in detail.

It is believed that the petitioner has sustained a loss, but not by any means to the amount set forth in his petition.

WM. C. BOUCK,
In behalf of the canal commissioners.

February 18, 1829.

{No. 240.]

2

IN SENATE,

March 5, 1830.

MEMORIAL

Of the Trustees of the College of Physicians and Surgeons in the city of New-York, remonstrating against the establishment of a second Medical College in the city of New-York.

*To the Honorable the Legislature of the State of New-York,
in Senate and Assembly convened.*

An application having been made to the honorable the Legislature, for the incorporation of a second medical college in the city of New-York, it would seem to be a matter of duty devolving upon those more particularly interested, to inquire whether such incorporation ought to be granted.

If it should appear at the result of this inquiry, that the creation of such college is actually required by the existing wants, either of the profession, or of the public, or that it would prove of essential benefit to either or both, then it would seem to be the bounden duty of the Legislature, to yield its assent to this application. If on the other hand it should appear that the creation of a second college in this city, is required, neither by the public nor the profession, and besides this, if it should be shown that positive injury would result to both, then it would seem equally clear, that the Legislature ought not to yield its assent to this application.

Believing that the latter can be most conclusively established, the trustees of the college of physicians and surgeons, feel it to be a duty which they owe to the medical public, as well as the institu-

tion with which they are connected, most respectfully to protest against the prayer of the application, and to state very briefly their reasons for so doing.

The main reason which they would urge, and which would seem of itself to be conclusive, is this, that the number of students resorting to the city of New-York, is not, and never has been sufficient, competently to support two schools, and therefore, that the establishment of a second college, must unavoidably result in the eventual ruin of one or both, unless supported by Legislative aid.

The fact upon which the whole of this argument turns, (viz. that the number of students in this city, is not adequate to support two schools,) is so well known to all who have the slightest acquaintance with the history of medical affairs in this city, that it would be wholly superfluous to say any thing on the subject, had not misrepresentations been made in relation to it.

On this account, however, it requires examination. It must appear very obvious to every one, that a large establishment like that of a medical college, cannot be sustained in the city of New-York, from year to year, without a very heavy expense, even where the college buildings, library, chemical apparatus, anatomical museum, cabinets of *materia medica*, &c. &c., are all supplied by public funds, the ordinary current expenses necessarily connected with a complicated machinery like this, amount to more than would readily be credited by those not conversant with the facts. But when in addition to this, all the foregoing expenditures are defrayed out of the receipts, they become so oppressive, that an institution with no larger classes than those which have hitherto resorted to this city, must inevitably sink under the load.

That this may not be looked upon as a random assertion, we shall enter into a little calculation on the subject, and first estimate the expenses and then the gross receipts of a medical college in the city of New-York.

EXPENSES.

Rent of college, valued at \$25,000, at 7 per cent,.....	\$1,750.00
Rent of anatomical museum,.....	500.00
Expense of chemical laboratory, besides original cost,..	250.00
Incidental expenses to porter, fuel, printing, repairs of building, &c.,.....	750.00
	<hr/>
	\$3,250.00

RECEIPTS.

Taking one hundred students as the basis of calculation, which at present is about the average number of students, the receipts will be as follows :

Matriculation, \$5 for each student,.....	500.00
The average of pay students attending each professor, about sixty. From whom four of the professors re- ceive \$15 a-piece, and the other two \$20 a-piece, ma- king \$3,600, for the first four, and \$2,400 for the two last,	6,000.00
Graduation fees of twenty students,.....	500.00
Receipts,	\$7,000.00
Deduct expenses,.....	3,250.00
	<u><u>\$3,750,00</u></u>

This divided among six professors, will give an average annual income of \$625, to each. But even this small sum is not available, owing to the necessary expenses to which each professor is annually put, in the purchase of books, specimens, &c. for the illustrations of his course.

In the preceding calculation, the rent of a building has been included ; at present, however, the college of physicians and surgeons, is not under the necessity of paying this, and this is perhaps the only reason why it has thus far been enabled to go on. From the suits however, at present pending against the college, and which probably will be decided in a year or two, every vestige of property will be swept off, and it will then become necessary to erect a new building. As the trustees are desirous of doing this without applying to the Legislature for aid, this is a fair item in the future expenses of the institution.

With this simple statement, we leave it to the judgment of every candid man to say, whether it be possible for two colleges to be sustained in the city of New-York, unless the professors labor for nothing, or the Legislature grant them funds for their support, neither of which is desirable, or at all to be expected.

From the foregoing statement, in relation to the necessary expenses of a medical school, it will follow as a necessary consequence,

that so far as the public is concerned, the most economical plan, certainly would be not to incorporate a second medical college. One college can support itself *without Legislative aid*, two cannot do it, and therefore, if another college should be chartered, one or the other of them must break down in a short time, or both must be supported.

But it may be said, supposing it does fail, let the experiment be made by those who choose to run the risk. This we humbly conceive to be a very limited view of the subject. The glory of a nation or state is as much identified with her literary institutions as it is with her agriculture, her commerce, or her canals, and a failure in the one tarnishes her character quite as much as a failure in the others: and when the state lends her sanction to an institution, by giving it a charter, she identifies herself with it so far, as to make the ignominy of a failure a common discredit. But it is contended that the mere fact of having two colleges, would, by the salutary influence of competition, increase the number of students, and thus enable both to prosper, and, besides this, lessen the price of education. These things have been urged so repeatedly and assiduously, as really to have produced in the minds of many honest men a sort of conviction of their reality. On this subject all general speculation is misplaced, and an appeal to facts must decide it, and so far as these are admitted as testimony, it has been proved most conclusively that such are not the necessary effects of competition. Four years have now elapsed since two medical colleges have been running the race of competition in this city, and it is about time that some of the boasted effects of it ought to begin to show themselves, if they are ever to appear. And what is the fact? Why the number of students attending the two colleges this season is about fifty less than it was last year. The truth is, the existence of two colleges in the same place, so far from augmenting, will generally have the effect of diminishing the number of students, by the incessant broils and contentions to which they inevitably give rise. During the last season, it is understood that at least twenty students left New-York on this account: and so far from competition having had the effect of lowering the prices of instruction, the contrary has been the result. In Rutgers College, during the present session, the ticket of the professor of anatomy has been raised from \$15 to \$20 for each student, and the matriculation fee has been raised from \$3 to \$5, for each student. Indeed, such seems to be the unavoidable consequence. Where the number of students is so limited, the

highest possible prices must be obtained to meet the expenses of the establishment, and save it from bankruptcy. In the state college nothing of this can take place. The prices of the lectures are established by the Regents of the University, and cannot be raised to suit the wishes or interest of the professors. A system of checks and balances is established, by which both the student and the public are secured from imposition. Having shown, as we think, that a second medical college ought not to be established in this city, we might here rest the question.* It may be proper, however, to say a few words in relation to the present applicants, and we believe it can be shown that even were a second college necessary, they are not the persons entitled to the charter—and for the following reasons:

1. Because, previously to their soliciting a charter, the applicants have appointed themselves to all the offices of honor and emolument connected with the institution, and they now ask a charter simply to be protected in their auto-appointments.

Now, we believe there never was a literary institution got up in this state, or in any other state or country, upon this principle. In the establishment of institutions of this sort, it has always been considered a matter of right that the offices in their gift should be open to the competition of all the scientific men of the country; and hence the usual course has been, to invest the charter in independent boards of trustees, or of regents, who afterwards fill the various offices with the first talent that can be procured. And such a course is perfectly consonant with reason and justice. Literary institutions are designed for the accommodation and benefit of the public, and they should therefore be kept open for general competition.

This is the plan upon which all the institutions of this state have hitherto been constructed. If, however, the principle is once sanctioned, that a few monied individuals may first appoint themselves to office, and then obtain a charter to confirm them in office, all competition is at an end: men of science will be disregarded, and all our literary institutions be at the mercy of a monied aristocracy. If a new medical college is required in the city of New-York, let it be established in the usual way. Let the charter be vested either in the Regents, or in an independent board of trustees, and let them have the right of filling up the professorships. It is only in this way that the selection of men competent to these stations can be se-

* See a report to the honorable the Regents, by Mr. Cochrane, in 1817.

cured. Men of talent and science in different parts of the country, will then be enabled to compete for these places of distinction, and the true ends of competition be answered.

2d. But there is another, and perhaps, stronger reason why the present applicants are not entitled to a charter, and it is simply this : that most of them were formerly professors and trustees of the state college, and that during the time they had the chief management of it, they sunk about \$60,000, and brought the college in debt to themselves upwards of \$20,000, for which they are now prosecuting the college : and there is now remaining to the state only the college buildings, and a small library, valued at about \$15,000. What shows still more conclusively the impropriety of the present application is, that when the Regents, the rightful governors of the institution, attempted to exercise a wholesome control, the present applicants resigned their places in the state college, with the avowed determination of breaking it down, as being injurious to the interests of medical science ; and it is to aid in this scheme that your honorable body is now called upon to grant them a charter, and clothe them with the very privileges that are so hostile to medical learning.

For the foregoing reasons, the undersigned, therefore, respectfully pray your honorable body not to yield to the application for the establishment of a second medical college in the city of New-York.

By order of the board of trustees,

JOHN WATTS, Jun. M. D., *President.*

NICOLL H. DERING, M. D., *Registrar.*

No. 242.

IN ASSEMBLY,

March 6, 1830.

REPORT

Of the Committee on the petition of sundry inhabitants of the county of Richmond, for a law declaratory of their rights, and also those of the citizens of this state as it respects the taking of oysters in Staten Island sound.

Mr. Harrison, from the committee to whom was referred the petition of sundry inhabitants of the county of Richmond, praying that a law may be passed declaratory of their rights, and also of those of the citizens of this state, as it respects the taking of oysters in the waters of Staten Island sound, and on the oyster beds adjacent thereto, begs leave to

REPORT—

That they have had the same under consideration, and that they have examined with care and attention the several causes of complaint set forth by your petitioners; and now submit to the house the result of their inquiries upon a subject in which the citizens of this state, but more particularly those of the county of Richmond, have a deep and an abiding interest.

The petitioners represent, "That the rights, immunities and privileges of a large, respectable and an industrious class of citizens," residing in the above named county, have been invaded and trampled upon by certain citizens of New-Jersey, called "The New-Jersey Oyster company." The said company claiming to have the exclusive right and monopoly of planting oysters on the Great Beds, lying in Staten Island sound, opposite Perth-Amboy in the state;

[No. 242.]

New-Jersey ; and that the said company continue to plant and lay down oysters there, in virtue of a pretended act of incorporation of the legislature of that state, granting exclusively this privilege to that company, which deprives the petitioners of the right of taking oysters on these beds—a right which they have always enjoyed until the present time, and this deprivation the petitioners consider as “unjust, unlawful and oppressive in the extreme.”

They also represent that they and their ancestors have always enjoyed this right, and that there is, and from time immemorial has been, a natural growth of oysters upon these beds ; and that they lie in the mid channel between the states of New-York and New-Jersey ; and further, that while they were engaged in what they had always deemed a lawful employment, and by which alone they supported their families, they had been assailed and driven away by violence, by an armed force from New-Jersey ; and that they were actually fired upon and their lives endangered, although they were themselves unarmed and defenceless, and had demeaned themselves peaceably ; and that the citizens of New-Jersey still continue to deprive them of their rights, by threats and menaces of further acts of violence.

Complaints so novel, and involving as they do the most important questions of jurisdictional right between the two states, have induced your committee to bestow particular pains upon the investigation of the facts, as set forth by the petitioners.

The oyster beds referred to by the petitioners, it is stated to your committee, have been known almost from the first settlement of the country, as the Great Beds, at Prince's bay and Amboy. They lie at the head of Prince's bay, and the place where the two currents from the sound and the Rariton meet, and extend obliquely across the sound and into the bay, until they approach within 300 yards of the Staten Island shore. They comprise about 200 acres or more, as is supposed by some; and the oysters which grow upon these beds are equal if not superior to any found in our country. The right of taking oysters upon these beds, by the inhabitants of the two states mutually, was never disputed until now. The oyster company have incorporated powers from the legislature of their state, and claim an exclusive privilege to a large and a valuable proportion of the bed. And as the attempt to enforce this claim led to the outrages complained of by the petitioners, a brief narrative of

the transaction seems to be required from your committee—especially, as from the erroneous statements given in the newspapers of the day, much injustice appears to have been done to your petitioners.

It has been stated to your committee, that the petitioners, previous to engaging in their usual employment of catching oysters on the beds, where the oysters of the company had been planted, gave them notice of the unavoidable necessity which existed on their part of commencing their business, and requesting the company to remove their oysters from the ground; but this was not attended to. Another proposal it appears was then made by your petitioners, to wit: that they would themselves remove them, if permitted to do so, and without expense to the company. This also was refused; and no alternative seems to have been left to the petitioners, but either to relinquish their business altogether, and leave their families to suffer for want of bread, or to proceed in their avocation, although in doing so they must unavoidably take up some of the oysters planted by the company. But it was soon perceived that the company intended to resort to force to secure them in their unjust pretensions; and accordingly, whenever individuals went from the island to the oyster beds, they were seized by their orders and their boats and implements detained. It became necessary, therefore, for the petitioners to associate together for mutual protection, and instead of going singly to go in a body collectively. But although the oyster company were fully aware of the necessity which existed for this, and that it was done with no other design than to afford protection to each other, they determined, even at the hazard of a civil commotion, to force the petitioners from the ground to which they certainly had an equal right with themselves. And although as is stated to your committee, the petitioners repeated their former proposal of taking up the oysters from the beds, and without expense to the company, and of planting them where they would direct, yet this reasonable offer was again rejected; and the company proceeded at once to open acts of violence, by calling to their aid from the city of Amboy and the adjoining country several companies of infantry, who with some pieces of artillery, were placed upon the banks in array against a few harmless and defenceless individuals, engaged only in their lawful and accustomed business. And the outrage was finished by the discharge of their field pieces upon these unarmed citizens in their boats; and the firing was continued until it was put an end to only by command of the governor of their state.

Fortunately no lives were lost upon the occasion; but this circumstance it is fairly to be assumed, was owing more to accident than to the good intentions of the company, who directed the assault. And your committee cannot but applaud the good conduct and forbearance of the petitioners, who quietly withdrew from the ground, and now make their appeal in the same spirit to the legislature for redress.

Your committee have been thus particular, in order to rescue the petitioners from the obloquy industriously thrown upon them by the newspapers of the day, and those among the citizens of New-Jersey interested in the oyster company.

Your committee forbear any comments upon the character of a transaction like the one described, or on the consequences which might have ensued from it. They are too obvious not to commend themselves to the reflection of every man in the state, and point clearly to the necessity of adopting some measures to prevent the recurrence of scenes which sooner or later must involve the state in difficulties to which at present it would not be easy to assign an issue.

The right of taking oysters on these beds has been enjoyed by the people on both sides of the water for many generations, and has never been controverted until recently; and your committee are compelled to believe, that nothing but an overweening desire of gain could have prompted the people of New-Jersey to seek in this manner to appropriate their produce to themselves.

It will be understood, and your committee wish so to represent the fact, that this planting of oysters as it is termed, not only secures to the proprietors of the ground the growth, increase and improvement in quality of the oysters laid down, but that they by so doing monopolize the natural growth upon the beds—as no person can catch oysters there without taking up those which have been laid down by the company; and that this in effect excludes the citizens of this state and every other person, from oystering there, unless they take up the oysters belonging to the company; in which case they are liable to indictment for a misdemeanor and heavy penalties, and to the seizure and loss of their boats or vessels.

The committee do not feel themselves called upon in this case, to enter upon the question of contested jurisdiction between this state

and that of New-Jersey. It is sufficient for them to say, that the territorial limits of the two are still undefined, and that these beds lie altogether within the jurisdiction claimed by this state, and that even if the boundaries were settled upon, the principle of *ad filum aquæ*, or that the middle of the stream should be the line between the two states—that even in such a case a very considerable proportion of these beds, amounting to one-half at least, would still lie within the limits of this state, and which renders the act of the legislature of New-Jersey the more extraordinary and exceptionable. But admitting such a decision to have been made by a competent tribunal, and that the whole of the oyster beds had passed under the jurisdiction of our sister state—even in that case your committee see many reasons to doubt whether the legislature of New-Jersey would have a constitutional right to vest in any portion of her citizens exclusive privileges with regard to these beds, as both the sound and Princes' bay are both important public waters, and part of the national highway, in which all our citizens have an equal and a common right; and as such, neither the waters nor their productions can be exclusively engrossed by either of the contending parties. Your committee, therefore, without further argument upon a case so obvious, feel themselves compelled to declare, that in their opinion the right of taking oysters upon these beds is one which the people of this state cannot be divested of by any legislative enactment; and more especially, not by any legislative act of a neighboring state. But under actual circumstances and until the question of jurisdiction is decided, it is evident to your committee that these beds lie within the territorial limits of this state, and that the rights of our citizens have been invaded by this grant of exclusive privileges to the New-Jersey oyster company, and that the case of the petitioners is one that calls loudly for the interposition of the legislature in their behalf.

It does not appear to your committee that the conduct of your petitioners has been characterised by any acts of violence, or that they have demeaned themselves otherwise than in a peaceable and orderly manner; but that on the contrary they have exhibited a degree of forbearance highly exemplary and commendable, in retiring from the threatened contest, and then in this way appealing to the justice and wisdom of the government under which they live, for the protection and security due to them as good citizens. Although your committee are aware of the difficulty of legislating upon this subject in any way that will carry with the act the power of restraining the people of New-Jersey, or of affording the required protection to our

own citizens, yet they nevertheless believe that such an act as is asked for by the petitioners may and ought to be passed; and this act to be just, your committee are persuaded, ought to embrace provisions not only to secure the petitioners in the enjoyment of their rights, but to provide the means of defraying the expenses incurred by them, and to be incurred in defending themselves from the vexatious suits commenced against them by the oyster company. Your committee believe that so long as New-York claims jurisdiction over the waters of the sound, she is bound to protect her citizens in rights derived from that jurisdiction, and therefore that the petitioners ought to be sustained in their enjoyment of these privileges claimed by them, until a decision on the jurisdictional rights of the two states has been had. But as it would be manifestly unjust to subject the petitioners to the expense of maintaining the claims of the state, your committee are of opinion that the Attorney-General, or the district attorney of the county of Richmond should be authorised on the part of the state to attend as well to the suits now pending, as to those that may hereafter be brought against our citizens on the part of the oyster company. And your committee in accordance with these views, have directed their chairman to ask leave to introduce a bill.

No. 243.

IN SENATE,

March 6, 1830.

REPORT

Of the Canal Board, in obedience to a resolution of the Senate, of the 2d inst.

STATE OF NEW-YORK, }
CANAL ROOM. }

The canal board, in obedience to a resolution of the honorable the Senate, requiring a report "of the expenditures, by the superintendents employed on the Erie and Champlain canals, during the last year, specifying the number of superintendents, and the compensation for services allowed to each, and specifying also, the objects and items of expenditure by each superintendent. And also state whether in their opinion an expenditure equally large for similar purposes will be required for the present year."

RESPECTFULLY REPORTS:

That a report made by the Comptroller to the Assembly, on the 23d day of February last, will be found to contain the names of all the superintendents employed upon all the canals during the last year, the extent of line of canal under the care of each, with the commencement and termination of each such section, and the length in miles of the section assigned to each superintendent, the amount of the salary of each of those officers, as fixed by the board, the amount of disbursements by each superintendent, during the year ending 31st Dec. 1829, and the total amount expended upon each section during that year, including salary and disbursements. To this report the canal board beg leave to refer, as containing much of the information called for, by the resolution, and derived from the only source from which that information can be derived, in as much

as the accounts of those officers are now by law kept entirely in the Comptroller's office.

The objects of these expenditures, are solely for repairs to the canals, and the works connected therewith, and for such works as are adjudged necessary by the canal commissioners, or by the canal board, for the preservation and safety of the canals, and for the management of the system of revenue established upon them.

'These expenses involve an almost countless number and variety of items for every year, and the character of these items depends so entirely upon the thousands of contingencies to which these extensive works are subject, that to give them to the Legislature, would be but to give copies of all the vouchers returned by all the superintendents, to the Comptroller's office, for the period of time embraced in the resolution. This would involve an amount of labour which could not have been intended by the Senate, and which, if intended, could not be performed within the probable limits of the present session of the Legislature.

Each superintendent upon the canals, gives bail for the faithful execution of his duties, and for the faithful expenditure of the money entrusted to him, in such a sum as this board direct. The sufficiency of the sureties is left to the Comptroller, and the bond is filed in his office. No advance is at any time made to any one of these officers, beyond half the amount of the penalty of his bond. All advances are made by the commissioners of the canal fund, upon the certificate of the acting canal commissioner upon the section, as to the necessity of an advance and its amount, and every superintendent is bound to account to the Comptroller, once in sixty days, for all moneys advanced to him, and for all expenses incurred by him during the sixty days embraced in the account. These accounts are in all instances rendered, by transmitting an account from the individual or company by whom any labor is performed, of whom any articles are purchased, or to whom any money is paid, setting forth minutely, the period of the service, and the price per day or month, the number and description of articles, and the price by weight, measure or count, or the consideration of the payment, whatever it may be, accompanied by the receipts, at the bottom of the account, of the person entitled to the payment.—This is done in every instance; and as to all the expenditures, except the compensation to the superintendent himself. If any money is retained for himself, an entry is made of it upon his abstract, and it

forms a charge against him to be included in the final settlement of his accounts for the year, being always careful that no greater allowance is made for such retention than the sum actually due to the officer at the time the charge is made. All the vouchers so taken by each superintendent, are regularly numbered, and are entered upon an abstract, according to their dates and numbers, the abstract containing the number and date of the voucher, the name of the person signing it, the consideration for the payment entered under some general or abbreviated designation, and the amount of each voucher carried out in figures.

This abstract, with the vouchers, is presented to the acting canal commissioner having charge of that part of the canal where the expenditures were made, and after sufficiently examining the same, he adds his certificate at the foot of the abstract, in substance as follows :

"I certify that I have examined the preceding abstract, and the vouchers of which it is an abstract, purporting to amount to —— that the several disbursements specified therein were made under my direction on the canal, or for repairs necessary to be made thereon ; and that I believe such disbursements were proper and reasonable, and have been made as charged in the said abstract and vouchers."

With this certificate, the abstract and vouchers are transmitted to the Comptroller's office, where all the vouchers are carefully compared with the abstract ; the prices of the labor, and of the articles purchased, are carefully examined ; the footings of the abstract corrected, if erroneous, and all exceptions to any payment are noted and inquired into, and unless satisfactorily explained, the payment is disallowed, and the unexceptionable vouchers are passed to the credit of the superintendent, and go to account for any money then in his hands, and the balance in his favor, if any, is paid to him.

This is a concise history of the manner in which these moneys are advanced to the superintendents upon the canals, and accounted for by them. The general objects of the expenditure are, the payment of lock-tenders, the repairing and re-building of locks, culverts, aqueducts, bridges, dams, waste-weirs, and all other works connected with the canals ; the stopping and mending of breaches ; the lining of the banks, and all other repairs to the canals and feeders, and all works directed by the canal commissioners or the canal board,

calculated or intended to preserve or improve the canals and their navigation, together with the building of lock-houses, weigh-locks, collectors' offices, and all other like erections ordered by the canal board, and necessary for the proper superintendence of the canals, and the collection of tolls thereon.

In reference to the sum which will be required to meet those expenditures for the present year, the canal board can only give an opinion from the experience derived from the years which have passed. That experience does not enable them to offer any encouragement that the expense of repairs upon the Erie and Champlain canals, for 1830, will fall materially short of the expenditures for that object in 1829. Most of the works composed of wood, upon such parts of these canals as were first completed, are going rapidly to decay. Indeed, many of the bridges and aqueducts have required re-building during the last two years, and several others are to be re-built during the present year. Several stone locks also, have already required to be taken up and re-laid, and several others are now undergoing the same process. The necessity of facing the inner banks of the canals with wood or stone, has long since been fully manifest, and considerable expense for this object was incurred during the last, and will be during the present year.

In short, with ordinary good fortune in passing the breaking up of the winter and the spring floods, there is no good reason to expect any considerable diminution in the expense of repairs upon these canals, at least, for the present year.

SILAS WRIGHT, Jun.
S. YOUNG,
A. C. FLAGG,
H. SEYMOUR,
WM. C. BOUCK,
A. KEYSER,
GREENE C. BRONSON,

Albany, 5th March, 1830.

IN ASSEMBLY,

February 24, 1830.

REPORT

Of the Select Committee, on the petition of John T. Bergen and others, of the village of Brooklyn, relative to a municipal court in said village.

Mr. Curtis, from the select committee to whom was referred the petition of John T. Bergen and others, inhabitants of the village of Brooklyn, praying for an act to amend the act establishing a municipal court in said village,

REPORTED:

That by an act passed April 12th, 1824, entitled "An act for the better and more speedy recovery of debts of the value of fifty dollars," it is provided by the sixteenth section thereof, that certain debtors who shall have been committed to jail by virtue of said act, may, after the lapse of certain periods, and on complying with the provisions contained in said section, be discharged from further imprisonment.

That by the act, entitled "An act to reduce the law incorporating the village of Brooklyn, and the several acts amendatory thereof, into one act, and to amend the same," a new court was constituted for the village of Brooklyn, under the name and style of "the municipal court." This court was made to consist of three justices of the peace, and invested with all and singular the powers of justices of peace for the county of Kings, with exclusive jurisdiction within the said village, and with an extension of their jurisdiction to cases in which the sum demanded should not exceed one hundred dollars.

[No. 244.]

The fiftieth section of the last mentioned act, provides that the forms of proceedings then in use in suits brought before single justices of the peace, should be adopted and used in the said municipal court as near as could be; and that proceedings in the said court should be had before the same, in the same manner as they were then had before any single justice of the peace, &c.

It is perfectly clear to the committee, that the Legislature did not intend by the act establishing the municipal court in the village of Brooklyn, to deprive debtors who should be imprisoned upon judgments rendered by said court, of any of the rights and privileges secured by the act of 1824, to debtors imprisoned upon judgments rendered by any single justice of the peace previous to the establishment of said court. And the committee are by no means satisfied but that your judicial tribunals would give to the act in question such a construction as to accomplish the object of the petitioners. But, inasmuch as the subject is not free from doubt, and inasmuch as one of the petitioners, the sheriff of the county of Kings, has been advised by legal gentlemen of high respectability, that he cannot safely discharge debtors who have been imprisoned by the municipal court, although they may have complied with the provisions of the sixteenth section of the act of 1824; and as, in consequence, numbers are represented to be still imprisoned, the committee are of opinion that the matter should be at once stript of all uncertainty by a declaratory enactment.

It further appears to the committee, that the justices of the peace composing the municipal court in the village of Brooklyn, are, by the Revised Statutes, and doubtless through inadvertence, deprived of all criminal jurisdiction whatsoever. Section one of article one of title four of chapter two of part three of the Revised Laws, in enumerating the officers who shall alone have power to execute the functions conferred by that title, speaks of justices of the peace *appointed* for any city, or *elected* for any town. The justices of the peace, therefor, appointed for the village of Brooklyn, are not embraced within the number so authorised: and thus the village of Brooklyn is left without an officer with power to command the peace, unless perchance some one of the judges of the county courts should happen to reside within its precincts.

As this is the only village in the state having a court like the one in question, the committee are persuaded that the omission to con-

fer upon its justices a jurisdiction so absolutely necessary, was the result of accident, and not of design.

The committee have prepared a bill embracing the objects sought by the petitioners, and now ask leave to introduce the same.

IN SENATE,

March 8, 1830.

REPORT

Of the Committee on the Judiciary, on the resolution
of the Senate of the 29th January, 1830.

Mr. Beaton, from the committee on the Judiciary, to which was referred by a resolution of the Senate of the 29th of January, 1830. the communication of the Surveyor-General, made to the Senate on the 2d of April, 1829, relative to the claim of this state to a portion of Coxe's patent, in consequence of the attainder of John Tabor Kempe,

REPORTED AS FOLLOWS, TO WIT :

That they have proceeded to examine the subject alluded to in the said communication, to the extent of the means afforded, and within the knowledge of the committee. In 1811, the then Attorney-General of the state, Abraham Van Vechten, Esq., made a report to the Assembly, upon a reference to him of "a petition of certain settlers on Coxe's patent at Owego, praying that the title supposed to be vested in the people of this state, to part of the said patent, by means of the attainder of John Tabor Kempe, might be granted to the petitioners." This reference was made for the purpose of having that title investigated by him, and the fact submitted to the Legislature. It also appears, the said Attorney-General then made a particular examination, and gave a full and elaborate statement of the facts, connected with the title of the said Kempe and Grace his wife, to the lands in question, being the one-sixteenth of twenty-nine thousand eight hundred and twelve acres.

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The committee have not been able to collect any additional facts relative to this subject, varying materially those contained in the said report, or to learn the source from whence he collected those forming the basis of his report. He did however, give it as his deliberate and decided opinion, "that the names of the said John Tabor Kempe and Grace his wife, in the patent for the lands at Owego, were used merely in trust for others ; that the said Kempe and wife, by the acts of the said Kempe, before his attainder, were precluded in equity from all claim of interest in said tract ; and that a court of chancery would have obliged the said Kempe and wife, before his attainder, to execute a release of their legal but nominal interest in the tract, to the other grantees in the patent." The committee would refer the Senate to this document. On application to the present Attorney-General, he said he was unable to give any information upon the subject, as he had no papers in his possession, to his knowledge, relating to it.

In the year 1819, a suit was commenced in the court of chancery of this state, for the partition of the lands contained in the patent, and a decree was pronounced therein, on the 4th January, 1820—(4th John C. R. 275.) It appears from this reported case, that the complainants set up in the bill, "that the representatives of W. Smith, were entitled to one-third of the tract of 29,812 acres, John Redman Coxe to five-sixteenth of the residue, D. Coxe and Grace Kempe, each to one-sixteenth, the representatives of W. Coxe to seven-sixteenths, and the people of the state to the other two-sixteenths. The owner denied that any person had any joint or equitable claim to any part or share in the said tract, but the representatives of W. Smith, William Coxe and Rebecca Coxe, except such parts as Daniel Coxe and Grace Kempe might be entitled to, as heirs of Rebecca Coxe ; and that, in whomsoever the legal title to any part of the said land was now vested, they must be deemed in equity, trustees for the legal representatives of William Smith, William Coxe and Rebecca Coxe, according to their several shares therein."

The cause was heard upon the pleadings, and proofs taken therein between the parties. It cannot, we think, be pretended, that the people of the state are barred by this adjudication as they were not parties to it, nor was any one representing the state, a party by whose acts the people could be concluded.

This fact, however, may not be important to a final disposition of this subject. The right of the state, and the policy of enforcing it, are the questions now to be considered.

The Chancellor decided, that when a plaintiff came into that court for partition upon an equitable title, the defendants could set up such title, and insist that it was operative in the suit, and after assuming this position, and adverting to the facts of the case, including those contained in the report above mentioned, he said, there was "decisive evidence of the trust" in Kempe and wife, and that there was sufficient evidence of "part performance of the original agreement, to warrant a decree for a specific performance." The consumation of the contract might have been enforced, in equity, if the rights of all the parties remained the same after the attainer of John Tabor Kempe, as they were before. If the people at the attainer, took the estate absolutely discharged of the trust, then it is not perceived how this doctrine can effect the rights of the state. Then disposing of another point in the cause, by declaring that one John Redman took the legal estate of Daniel Coxe, discharged of the trust by the operation of a conveyance in fee, the court proceeded to pronounce a decree, by which partition of the whole patent was made between the parties to the suit, without regard to the interest of the state, set up by the bill.

The committee would observe, that Daniel Coxe is claimed to have stood in the same relation to William and Rebecca Coxe as Kempe and wife; that is, he had a legal, but not the equitable estate and interest in the said lands. Upon an examination of the opinion delivered, and a copy of the decree of partition, the committee are impressed with a belief, that the report of the Attorney-General, of the 2d day of February, 1811, was relied upon to show the state had no valid title to any part of the premises.

The committee have examined certain papers filed in the Surveyor-General's office by one Joseph Crofoot, in the year 1826, under certain acts of the Legislature of this state, relative to unappropriated and forfeited lands, in which it is stated, from the best information that can be obtained from those who are particularly acquainted with the premises, that the occupants went on to the lands in question, having no claim or title whatever; that the reputed owner is John Redman Coxe; and that the same had not been settled to exceed thirty years anterior to the year 1826. The late Attorney-General,

on the 20th November, 1826, certified that the title of the people of this state to one undivided sixteenth part of the premises, by the attainer of John Taber Kempe, was, in his opinion, sufficiently proved. It appears that Kempe was attainted on the 22d of October, 1779. We are unable to ascertain what were the facts (other than those above stated,) upon which this certificate was founded. There were none, probably, but those contained in the papers filed with the Surveyor-General, and it is not perceived in what respect the evidence in the chancery suit is affected or varied. If the late Attorney-General had full knowledge of the facts detailed in the report of Mr. Van Vechten, and in the said suit, at the time he gave the certificate, and if there is no evidence to contradict, explain or vary the statement of facts therein given, then he must have assumed, we believe, that by the attainer of Kempe, the state took his legal estate discharged of the trust.

By the second section, article first, title first, chapter first, part second of the Revised Statutes, (vol. 1, page 718,) "all escheated lands when held by the state or its grantees, shall be subject to the same trusts, incumbrances, charges, rents and services, to which they would have been subject had they descended." This, with the subsequent part of the section, is believed to contain principles not recognized by the English common law. If the rule of law established in this section should be deemed not applicable to the case now under consideration, and the rights of the state are not affected or altered by it, then it is expedient, in view of all the circumstances of the case, to apply the old rule or insist upon its application? It is believed that the interest of the state does not exceed one thousand eight hundred and sixty-three acres of land, worth about five dollars per acre.

The Legislature have declared (vol. 2, Revised Statutes, page 292,) that "the people of this state will not sue or implead any person for, or in respect to, any lands, tenements or hereditaments, or for the issues or profits thereof, by reason of any right or title of the said people to the same, unless such right or title shall have accrued within twenty years before suit brought," &c. This provision is prospective, and is not supposed to have any operation whatever upon the rights of the state in this case. Should the commissioners of the land-office proceed in the usual course in respect to these lands, it is understood the lands will be advertised and sold by the Surveyor-General; the right will have to be contested by the pur-

chaser, and should he fail, for want of title in the state, the consideration money, with interest, must be repaid to him. As such claimant is not now limited to six years interest on the consideration money paid, the state will be bound to refund at any period of time hereafter; and it is suggested, whether this circumstance would not be an inducement to the purchaser to be negligent and careless in prosecuting the claim under the state, rather than an incentive to prosecute with vigilance and skill. In consequence of the report of the Attorney-General, (Mr. Van Vechten,) and the concurrence of the Assembly, some legislative direction seems to be necessary and proper, either to abandon entirely all claim to these lands, or, by a joint resolution of the Senate and Assembly, to direct the commissioners of the land-office to proceed to make sale of the one-sixteenth part thereof. Should it be deemed advisable to enforce the claim of the state, it is suggested whether it would not, in this case, be more expedient and proper to direct the Attorney-General to proceed in the first instance, and try the right of the state, rather than to allow the ordinary course to be pursued.

The committee herewith submit an act, directing the commissioners of the land-office not to sell any part of the said lands, believing this to be as safe and proper as any other proceeding which can be taken. Should the Senate determine this to be inexpedient, the committee do not perceive any objection to directing the Attorney-General to try the right of the state, other than the expenses consequent upon the prosecution of the claim.

No. 246.

IN ASSEMBLY,

February 17, 1830.

ANNUAL REPORT

Of Israel Sloan, an Inspector of Beef and Pork for
the County of Onondaga.

To the Honorable the Legislature of the State of New-York.

The report of Israel Sloan, jun. of the town of Pompey, in the county of Onondaga, an Inspector of beef and pork in and for the county of Onondaga,

RESPECTFULLY SHEWETH—

That during the year ending on the first day of January instant, he has inspected the several quantities of pork and beef hereafter stated, and that the same were of the qualities respectively as stated below, to wit :

Of mess pork, 131 barrels, valued at \$11,	\$1,441 00
Of prime " 153 " " 9,	1,377 00
No beef.	

\$2,818 00

And that my fees for inspecting have been..... 42 50

All which is respectfully submitted.

ISRAEL SLOAN, Jr.

Dated Pompey, January 22, 1830.

[No. 246.]

1

IN ASSEMBLY,

February 17, 1830.

REPORT

Of the Select Committee, on the petition of Frederick P. Gouverneur, for a change in his name.

Mr. Livingston, from the select committee, to which was referred the petition of Frederick P. Gouverneur, for a change in his name,

REPORTED :

That Frederick Philips, deceased, late of the town of Philipstown, in the county of Putnam, was, in his life time, seized and possessed of a large estate, real and personal ; and on frequent and divers occasions expressed his will and intention to devise and bequeath unto the petitioner (the grandson of the said Frederick Philips) a very considerable proportion thereof, with intent also that the petitioner should assume the name of Frederick Philips upon his decease.

That the said Frederick Philips died on the third day of March last, intestate, leaving Mary Gouverneur, the wife of Samuel Gouverneur, of the city of New-York, who are the parents of the petitioner, his daughter and sole heiress at law, in whom the title to the whole of the said real estate is vested.

It further appears that the said Samuel and Mary Gouverneur, are desirous of confirming the intentions of the said Frederick Philips, and that the petitioner should assume the name of Frederick Philips, such being the family name.

The facts set forth in the petition are verified by the oath of the petitioner, and your committee are of opinion that the prayer of the petitioner is reasonable and ought to be granted.

A bill has accordingly been prepared, which the committee now ask leave to introduce.

IN ASSEMBLY,

February 24, 1830.

REPORT

Of the Select Committee on the petition of sundry inhabitants of the town of Clay, praying for an act to change the name of said town.

Mr. Hall, from the select committee to which was referred the petition of the inhabitants of the town of Clay, in the county of Onondaga, praying that the name of said town may be changed,

REPORTED :

That it appears from the said petitions and from other documents which have been examined by the committee, that during the session of the Legislature in 1827, the inhabitants of the town of Cicero, in the county of Onondaga, petitioned the honorable the Legislature for a division of said town of Cicero, and to erect a new town from the westerly part thereof, by the name of Bolivar. It appears that the prayer of the petitioners, so far as it relates to the division of the town of Cicero, was granted; but in consequence of there being a town in the state at the time, by the name of Bolivar, the Legislature, without the knowledge of the inhabitants of the town, (as your committee are informed,) gave the new town the name of *Clay*.

It appears from the petition, which is signed by many of the most respectable inhabitants of the said town, that a large proportion of them are dissatisfied with the name of Clay, and would have remonstrated at the time against the name of Clay, had they been informed in time to have been heard before the final passage of the bill.

The petitioners now ask to have the name of the town changed, and to be hereafter known by the name of Euclid.

The committee see no reason why the prayer of the petitioners should not be granted, and accordingly ask leave to bring in a bill.

IN ASSEMBLY,

February 17, 1830.

REPORT

Of the Select Committee, on the petition of the Supervisor and Town Clerk of the town of Holland, in the county of Erie.

Mr. Fillmore, from the select committee to whom was referred the petition of the supervisor and town clerk of the town of Holland, in the county of Erie,

REPORTED—

That it appears by the facts set forth by said petitioners, that the sum of twenty-seven dollars and fifty cents, belonging to said town, was, some years since, paid over by Arthur Humphrey, late supervisor of said town, to Mitchell Corliss his successor in office; and by the said Mitchell Corliss, on going out of office, to Asa Crook his successor, and late supervisor of said town, who has refused to pay the same to his successor in office, the present supervisor of said town; and the petitioners pray that the present supervisor may be authorised to prosecute for and collect the same; and when so collected, pay the same over to the commissioners of common schools of said town, to be by them appropriated to the use of common schools in said town.

So far as the investigation of your committee has extended, they have been unable to find any existing statute authorising such collection; but they can see no reason why the prayer of the petitioners is not just and proper, and they are of opinion that it ought to be granted, and have therefore directed their chairman to ask leave to introduce a bill accordingly.

[No. 249.]

IN ASSEMBLY,

February 18, 1830.

REPORT

Of the Committee on Courts of Justice, on the petition of sundry inhabitants of the county of Ulster, praying relief in behalf of William Frazer.

Mr. Allison, from the committee on courts of justice, to which was referred the petition of sundry inhabitants of the county of Ulster, praying for the passage of a law for the relief of William Frazer,

REPORTED :

The petitioners set forth that William Frazer, when about eleven or twelve years of age, was convicted at Kingston, in the county of Ulster, by a court of special sessions, of the offence of petit larceny for taking a pair of shoes : That his character previous to the conviction was beyond suspicion : that he has ever since resided in the town of Shandaken, in the said county, and sustained a good and irreproachable character ; enjoys the full trust, esteem and confidence of the inhabitants of the town in which he resides : That he has several times been elected, almost unanimously, to fill important town offices. The petitioners conclude by praying that an act may be passed restoring him to all the rights and privileges of a free member of society.

The committee, in consideration of the uniform propriety of his conduct both before and since his conviction ; and of his having been so very young at the time, have unanimously concluded, that the prayer of the petitioners ought to be granted, and have prepared a bill, which they now ask leave to introduce.

No 251.

IN ASSEMBLY,

March 9, 1830.

STATEMENT

Of the Funds and Property of the New-York Chemical Manufacturing Company, 1st Feb., 1830.

DR.

Chemical manufactory,	\$100,000 00
Bills discounted,	705,135 26
Due from foreign banks,.....	9,660 47
Due from city banks,.....	65,663 47
City banks notes on hand,	74,365 24
Country banks notes on hand,	1,617 00
East river garden,	1,136 60
Banking-house, &c. &c.,.....	9,499 74
Specie,	48,611 77
	<hr/>
	\$1,015,689 55

CR.

Capital stock,.....	\$500,000 00
Bills in circulation,	202,555 00.
Due to foreign banks,	30,043 68
Due to city banks,.....	29,651 13
Dividends unpaid,	17,785 53
Individual depositors,	218,674 95.
do do special on interest,.....	6,608 00
Profit and loss, surplus,.....	10,371 26
	<hr/>
	\$1,015,689 55

(Errors excepted.)

New-York, 1st February, 1830.

We certify the above is a true statement according to the books
of the Chemical Bank.

Feb. 8, 1830.

[No. 251.]

B. P. MELICK, President.

A. CRAIG, Cashier.

My.

tin.

No. 251.]

"4th. The balances remaining annually upon settlement in the hands of the commissioners, including the year 1829, and whether such balances have been invested in stock or other securities.

[No. 252.]

1

"5th. The amount paid from this fund, and at what time, to the trustees of the Society for the Reformation of Juvenile Delinquents in the city of New-York.

"6th. The amount collected from coasting vessels under the act of the 29th of April, 1829, entitled 'An act to create a fund in aid of the Society for the Reformation of Juvenile Delinquents in the city of New-York, and for other purposes;' and the commission allowed thereon for collection.

"7th. And any other information on the subject of hospital menies that he may deem useful to the legislature"—

RESPECTFULLY REPORTS :

That the information sought by the resolution is given in the paper hereto annexed, so far as the same could be given without incurring an amount of labor which the press of business in this office at the present time rendered it nearly impossible to perform; and without consuming a period of time which would be likely to defeat the object of the call.

The information is given in the order suggested by the resolution; and it is believed will answer the objects of the house, though by no means so extensive as the terms of the resolution would seem to require.

The answers to the second and third sub-divisions of the resolution are confined to the receipts and expenditures of the last year only. This limitation to the answer has been adopted by the consent of the mover of the resolution, and to obviate the necessity which otherwise existed, of going through with a minute examination of all the accounts and vouchers rendered by the health commissioners since the year 1823, and now on the files of this office; as by this examination only, could the classifications in the receipts and expenditures called for, be made.

Reference may be made to two reports from this office, to be found in the Assembly Journal of the last year—the one at p. 313, and the other at p. 821, for most of the information sought by the resolution. The particulars of the expenditures of the last year, with a full abstract of every voucher rendered by the commissioners and audited to them, will be found annexed to the latter of those reports.

An investment of \$15,000 of the hospital monies in canal stock appears to have been made in July, 1825; but that investment was subsequently withdrawn, and the money was paid to the trustees of the House of Refuge in the city of New-York.

The monies collected by the health commissioners from coasting vessels, and for the collection of which a commission of ten per cent has been allowed, is said to be the tax imposed upon a particular class of these vessels only, and from which no collections have been made which have yielded any thing to the hospital fund, until the last year. From an examination of these accounts, it is clear, that the money upon which this commission is charged is entirely distinct from the collections from coasters, generally; and no trace is found among the accounts and vouchers of any receipts from this source, except for the last and the present year.

The reasons for the allowance of this commission, so far as they are known to the Comptroller, are to be found in the report from this office last above referred to; and it is presumed those reasons induced the provision for its allowance found in the act of the 29th April, 1829.

All which is respectfully submitted.

SILAS WRIGHT, Jr.

Dated Albany, 10th March, 1830.

DOCUMENTS.

FIRST.

Balance remaining in the hands of Richard L. Walker,
health commissioner, on settlement of his account,
Dec. 31, 1823, \$6,041.71

SECOND.

Amount of moneys received during the year 1829, from captains,
seamen, steerage and cabin passengers, and coasters, as follows, viz :

From 1,295 captains,.....	\$1,942.50
“ 26,528 seamen and steerage passengers,.....	26,528.00
“ 2,985 cabin passengers,.....	4,477.50
“ coasters,	2,951.00
	<hr/>
	\$35,899.00
Discount,.....	897.39
	<hr/>
	\$35,001.61

THIRD.

The amount of disbursements for the year 1829, expended in the
erection of new buildings, wharves, bulk-heads, &c. at the quarant-
ine ground, viz :

For bulk-head,.....	\$913.03
“ building small-pox hospital, materials, labor, &c, as nearly as can be ascertained,	15,992.54
	<hr/>
	\$16,905.57

FOURTH.

Statement of balances remaining in the hands of the commissioners annually, from Dec. 31, 1824, to Dec. 31. 1829, both inclusive.

1824, Dec. 31, balance, R. L. Walker,	*\$15,174.01
1825, do	13,764.68
1826, do	2,927.00
1827, Dr. Cutter,	2,156.66
1828, do	325.15
1829, no balance,	

FIFTH.

By the books of the Comptroller's office, it appears that there was paid to the treasurer of the house of refuge, the following sums, in each of the following years, to wit :

*\$15,000 invested in 6 per cent canal stock, July 1825.

For the year 1826,	\$27,000.00
" 1827,	8,000.00
" 1828,	8,400.00
" 1829,	6,000.00
	<hr/>
	\$49,400.00

SIXTH.

Amount of moneys collected from coasting vessels, by Jacob Morton, clerk of the common council of the city of New-York, for the health commissioners, and upon which a premium of 10 per cent has been allowed for collection.

Collected in 1828,....	\$1,073.50	Premium,	\$107.35
" 1829,....	1,447.56	" 	144.75

SEVENTH.

Miscellaneous collections in 1829, to wit :

Amount received from J. S. Westervelt, for hospital moneys collected by him,	\$160.75
Received for 1½ years rent of boat house,.....	150.00
" old buildings,	95.00
" balance of Doctor Havens' account,.....	20.42
	<hr/>
	\$426.17
	<hr/>

IN SENATE,

March 10, 1830.

REPORT

Of the Select Committee, on the petition for a road from Sherburne to Utica.

Mr. Enos, from the select committee, to which was referred the petitions of sundry inhabitants of the counties of Madison and Oneida, for a law appointing commissioners, and authorising them to lay out and alter the present road from Sherburne, in Chenango county, to Utica,

REPORTED AS FOLLOWS:

That previous to the construction of the Erie canal, the transportation between Albany and that section of country lying along the Chenango river, was a direct land transportation; that since the completion of said canal, all the transportation between Albany and said section of country, as far down the Chenango river as Sherburne, and partially as far as Binghamton, is diverted to the Erie canal by the way of Utica; that the roads usually travelled, from Sherburne to Utica, were first laid out not so much with a view to transportation to Utica, as to a communication with the several villages and settlements in that country, consequently they are circuitous, and, in many instances, not on the best ground; that the increasing transportation from the valley of the Chenango river to Utica, imperiously demands an improvement of the route of the now travelled road; and that, in the opinion of your committee, it is next to impracticable to have a road laid out on the most eli-

gible route, from Sherburne to Utica, by the commissioners of highways of the several intermediate towns.

Therefore, your committee have directed their chairman to prepare a bill agreeable to the prayer of the petition, and ask leave to bring in the same.

No. 254.

IN SENATE,

March 10, 1830.

REPORT

Of the Comptroller, on a Resolution of the Senate.

STATE OF NEW-YORK,
COMPTROLLER'S OFFICE.

The Comptroller, in obedience to a resolution of the honorable the Senate, directing him to report to that body, "a statement of the amount of monies paid to the special counsel, under the act passed April 15, 1828, and the act to continue the same, passed April 6th, 1829, designating the amount paid to each counsel or person appointed under said acts; and also a copy of the accounts and vouchers exhibited, and on which said moneys were paid,"

RESPECTFULLY REPORTS:

That the paper hereto annexed marked A, contains copies of all the accounts, abstracts and vouchers rendered to this office by the special counsel, appointed under the act of the 15th April, 1828, up to the date of this report, and upon which any moneys have been paid, pursuant to the said act. The paper annexed marked B, contains a recapitulation of the respective audits of those accounts, and shows the amount which has been paid to each of the special counsel appointed.

All which is respectfully submitted,

SILAS WRIGHT, Jr.

Dated, Albany, 9th March, 1830.

[No. 254.]

DOCUMENTS.

(A.)

Statement of disbursements for travelling expenses, board and money paid to witnesses and messengers, and for officers fees, in execution of the act of 15th April, 1828, in relation to the abduction of William Morgan, down to October, 1828.

May 15,	Paid stage fare to Geneva,	\$2 12
	Expenses for board,.....	1 25
	" stationary, (including blank books,)	2 50
	Paid bill at Hemmenway's, \$2 50, 50,.....	3 00
19,	Stage fare to Canandaigua,	62
	Bill at Blossom's, \$4 40,—56,.....	4 96
23,	Stage fare to Ensworth's, Rochester,.....	1 00
	On the way,	31
	Bill at Ensworth's,.....	4 38
28,	Fare to Lewiston,.....	4 25
	By the way,	75
	Fare to Fort-Niagara, and board at Mann's,.....	6 72
	Paid servant,.....	1 00
	Ferriage and expenses to Queenston,.....	50
	Fare to Falls,	2 00
	Bill at Forsyth's,	1 50
	Fare to Buffalo, \$1 00. Way 25 cts.,.....	1 25
	Bill at Rathbone's, \$3 75, do. 50,.....	4 25
June 6,	Fare to Batavia, \$1 50. do. 50,	2 00
	Bill at Humphrey's,	1 50
	Fare to Rochester and expenses,.....	2 87
8,	Bill at Ensworth's, \$7 35.—50,	7 85
14,	Fare to Lockport and way,.....	2 56
18,	Bill at Thompson's,.....	6 09
	Fare to Wright's, 3s. Bill 2s,.....	62
	" Gaines, 8s. Way 3s.,.....	1 87
	" Albion, 3s. Bill at Sickles', 7s. 6d.,...	1 31
	" Brockport,.....	50
	Bill at Bristoll's and fare to Clarkson,	1 75
	" Walbridge's, \$2 25.—25,	2 50
	Fare to Rochester,.....	1 00
	Horse to Hanford's Landing,	1 00
	Bill at Ensworth's, \$4 75,—8s,	5 50
	Fare to Canandaigua, 8s. Way 2s,.....	1 25
June 27,	At Blossom's, bill \$3 00. do. 4s,.....	3 50
	Fare to Geneva, 5s.,.....	62
	Carried forward,.....	\$

	Brought forward,.....	\$
June,	Hemmenway's, \$1 75.—25.....	2 00
	Fare to Auburn, 8s. Way 3s.,.....	1 37
	At Exchange,.....	1 00
July 3,	Fare to Syracuse, 8s. Way 4s. Onondaga, 6s.	2 25
	Paid officers fees for taking affidavit &c.,.....	75
	“ for postage,.....	1 05
August,	“ fare to Geneva, \$2 00. Way 10s.,.....	3 25
	“ At Geneva, 8s.,.....	1 00
	Fare to Canandaigua, 5s.,.....	62
	“ Pittsford, 6s. Way 6s.,	1 50
	Paid for waggon and horse to go to the mills,...	50
	Fare to Rochester, 4s. Way, 50,.....	1 00
	At do. 10s. Fare to Niagara co.,...	3 50
	Way, 6s.,	75
	At Chapman's, \$2 12. Way, 50,.....	2 62
	To Lewiston,.....	37
	Fare to Forsyth's, after Fox, a witness,.....	50
	Way, 4s. Fare back to Lewiston, 4s.,.....	1 00
	Paid Bates Cook, \$5 00, to give Perry, a witness,	5 00
	Bill at Mann's,.....	2 50
	Fare to Lockport,.....	1 00
	At Hughes, 10s. Fare to Gaines, 10s.,	2 50
	Way, 3s. To Albion, 3s. Way, 4s.,.....	1 25
	Fare to Rochester,.....	1 43
	At Noyes', 4s. Paid Judge Chapin, fees, 4s.,..	1 00
	Paid messenger,.....	1 50
	Fare to Canandaigua, 8s. Way, 8s.,.....	1 37
Aug. 15,	(At Canandaigua.) Paid Sarah Wilder, a witness,.....	5 00
	Paid messengers, 24s.,	3 00
	“ for taking recognizance of witnesses,.....	1 87
	Bill at Blossom's,.....	11 25
	Paid messengers again,	1 00
	Fare to Geneva,	62
	At Hemmenway's,	2 00
	Paid a messenger to go and see a juryman, who had sat on the trial of Bruce,.....	5 00
27,	Fare to Newark, 6s. Way 2s.,.....	1 00
	At Newark, 6s.,	75
	Fare to Palmyra, 2s. Way, 2s.,	50
	At Hull's, 8s. Fare to Rochester, 8s.,.....	2 00
29,	At Ensworth's, bill \$7 75.—25,.....	8 00
	Stationary, 8s. To a justice of peace, 6s.,.....	1 75
	To two messengers, 16s.,.....	2 00
	Fare to Canandaigua,.....	1 00
Sept. 6,	At Blossom's,.....	2 50
	Fare to Geneva, 5s. Way, 1.,.....	75
	At Hemmenway's, 10s. Fare to Auburn, 8s.,..	2 25
	Carried forward,.....	\$

	Brought forward,.....	\$
Sept. 9, At Button's, 8s.	Fare to Onondaga, 8s.....	2 00
Way, 4s,.....		50
Paid J. Chapman, Esq., fees for taking recogni-		
zance of witnesses,		1 12
Paid expense of securing a witness, to be recog-		
nized in Albany,.....		5 00
Paid J. Woodward, constable fees,.....		87
Fare to Albany, on a journey to attend to the		
question reserved in the case of Eli Bruce and		
the people,		6 12
Way,		2 00
Fees paid recorder of Albany, in taking recogni-		
nizance of Ezra Platt, a witness,		1 50
		<hr/>
		\$198 58
		<hr/>

City and County of Albany, ss.

Daniel Moseley, being duly sworn, saith that he has actually paid out the moneys as mentioned in the within account, excepting the five dollars charged for recognizing a witness in Albany, and for that he is liable, and that said disbursements were necessarily made for the purposes therein mentioned.

DANIEL MOSELY.

Sworn this 18th day of Oct. 1828.

W. L. MARCY,
Comptroller.

If the Comptroller on examining the foregoing account of Daniel Moseley, Esq., shall audit the same at one hundred ninety-eight dollars and fifty-eight cents, he will please draw his warrant on the Treasurer of this state, in favor of Mr. Moseley, for that amount.

NATH'L PITCHER.

Albany, Oct. 22d, 1828.

State of New-York,

To Daniel Moseley,	Dr.
Under act of 15th April, 1828.	

1828.

October.	To cash paid in procuring Ezra Platt, of Albany,	
	to be recognized a witness the second time,..	\$2 50
	Expenses at Albany on attendance at term, in the	
	case of Eli Bruce,	11 50
	Fare and expenses home,.....	10 00
Nov. 6.	" to Canandaigua, \$2 62. Way, \$1 50,....	4 12
	" at do. do. messengers,.....	1 25
	" Justice of peace 1s. Blossom's 8s.....	1 12
	" to Rochester 8s. Way 2s.....	1 25

Carried forward,..... \$

	Brought forward,.....\$
At Ensworth's,	1 63
At Albion, 16s. Way, 6s.....	2 75
Paid Sarah Wilder, a witness,	5 00
" Hiram Hubbard,	2 00
Expenses at court in Albion,	5 87
Fare to Lockport,	1 00
" to Lewiston and back to Lockport,	2 00
Expenses at Mann's Frontier house,.....	1 50
" at court at Lockport for messengers and constables,.....	4 00
Nov. (Niagara.) Bill at Kersey's,	9 00
To a boy,	50
Sarah Wilder's board at Hughes',.....	3 00
Fare to Buffalo,.....	1 00
" at Rathburn's,.....	4 50
" to Batavia, 10s. Way, 2s.	1 50
" at Humphrey's,	3 00
" to Le Roy, 3s. do. at Dwight's, 13s.	2 00
Paid constable, 8s. Justice, 2s.....	1 25
Expenses at Ensworth's,	5 25
Fare to Canandaigua,	1 00
At Blossom's, 12s. To Geneva, 5s.....	2 12
Hemmenway's, 11s. To Lyons, 6s. Way, 2s...	2 37
At Price's, 12s. Messenger, 8s.	2 50
Boat to Syracuse and way,	2 90
Fare home,	75
Sent Bates Cook to pay expenses in obtaining a witness from Canada,	15 00
Fare to Canandaigua,	2 62
At the Exchange, 6s. Geneva, 8s.	1 75
Paid Willis Turner, witness, for stage fare,	3 00
Expense at Blossom's,.....	1 50
Fare to Rochester,	1 00
At Noyes',	2 75
To Lockport,.....	2 50
Way,.....	1 00
Expenses at Thompson's,	10 87
For messengers,	2 00
Paid Bates Cook for additional expenses, in ob- taining Isaac Farwell, a witness, from Canada,	14 89
Advanced to witnesses, William Murdock and others, \$1 00, 7 00, and 3 00,.....	11 00
Constable,	1 00
Fare to Rochester,	2 50
Way, 6s. Bill at Noyes', 12s.	2 25
At Blossom's, 12s. Messenger, 2s.....	1 75
Fare to Onondaga, 20s. Way, 8s.....	3 50
Postage on papers, letters and documents in rela- tion to the business,	6 00
	\$185 01
Ree'd payment,	DANIEL MOSELY.

Onondaga county, ss.

Daniel Mosely, being duly sworn, saith, that the preceding account of moneys expended for disbursements, to witnesses and others, and for personal expenses, under the act of 15th April, 1828, is in all respects true; that the same were paid out as therein set forth, according to his best recollection and belief, and further he saith not.

DANIEL MOSELY.

Sworn before me, this 8th }
day of April, 1829.

NEHEMIAH H. EARLL,

First judge of Onondaga com. pleas.

*Comptroller's Office,
Albany, June 3d, 1829.*

The above account, audited by me this day pursuant to the 3d section of the act, chapter 212 of the laws of 1828.

PHILIP PHELPS,
Dep'ty and act'g Comp'r.

Pay the within to Daniel Mosely, pursuant to the provisions of the act, entitled "An act to provide for the payment of counsel for the purposes therein mentioned," passed April 15, 1828, the same having been audited by the Comptroller.

E. T. THROOP.

June 3, 1829.

Onondaga C. H., May 18th, 1829.

To the Comptroller of the State of New-York: Pay to William Gould & Co., or order, the sum of one hundred and ninety-five dollars, or such sum as my account may be audited at, being the balance for disbursements under the act of 15th April, 1828.

DANIEL MOSELY.

\$195 00

Received of Daniel Mosely, four dollars and fifty cents for his bill, and one dollar for the bill of Sarah Wilder, a witness. Nov. 14th, 1828.

Rec'd pay't.

\$5 50.

S. P. BUCKLY.

Mr. Mosely's bill at Exchange Coffee House—bill for six day's board and room, \$9 0

Rec'd payment,

T. HENRY.

Lockport, 21st Nov. 1828.

Received of D. Mosely, Nov. 20th, 1828, three dollars, in full for board and room, for Miss Wilder.

WM. HUGHES.

Lockport, Nov. 20th 1828

Mr. Mosely,

	To Eagle Tavern,	Dr.
Board and lodging,	\$4 50
Rec'd pay't, Buffalo, 24th Nov. 1828.		

B. RATHBURN.

Rec'd of D. Mosely, one dollar, for serving subpoena on witness,
respecting Wm. King, vs. the People, Nov. 29th, 1828.

SAMUEL C. HAWLEY, Constable.

\$1 00.

Bates Cook,

	To Rufus Fanning,	Dr.
Nov. 25th. To use of my team three days, in removing family of Isaac Farwell from Canada to New Fane, including expenses and ferriage. Rec'd pay't of Bates Cook,.....	\$9 76
		R. FANNING.

29th December, 1828.

In addition to above I paid Perry, in Nov.,	\$1 00
Postage last summer,	50
Paid Daniels,.....	5 00
" Fanning,	4 00
	<hr/>
Paid Farwell's expenses,	\$10 50
Ferriage and expenses going over myself with horse and wagon,.....	1 38
	<hr/>
To John Daniels, second trip,	\$14 63
	<hr/>
	5 00
	<hr/>
	\$19 63

Mr. Mosely,

	To Samuel B. Thompson,	Dr.
To 8 day's boarding and lodging, at 8s.	\$8 00	
1 meal, 2s. 6d. 1 lodging, 1s.....	44	
Bar bill,	38	
Room and fire 2s. per day,	2 00	
	<hr/>	
Rec'd pay't, Jan. 11, 1829, per	\$10 82	

E. G. DILLA.

Received of Daniel Mosely, seven dollars, for stage fare from
New Fane to Canandaigua and back, in attending court, on the trial
of Eli Bruce, a witness for the People, in August, 1828.

S. C. WRIGHT.

January 9th, 1829.

Received of D. Mosely, one dollar, for serving subpennas, vs.
William King and the People.

EDW'D PARMELEE.

November 7th, 1828.

The State of New-York,

To Dan'l Mosely, Dr.

For compensation for services rendered, in pursuance of the act
of April 15th, 1828, to January 16th, 1829, one thousand dollars.
\$1,000 00.

Received payment,

DANIEL MOSELY.

May, 1829.

*Comptroller's Office,
Albany, May 4, 1829.*

The above account audited by me this day, pursuant to the 3d
section of the act, chapter 212, of the laws of 1828.

SILAS WRIGHT, Jr.

Pay the within to Daniel Mosely, pursuant to the provisions of
the act entitled "An act to provide for the employment of counsel,
for the purposes therein mentioned," passed April 15th, 1828, the
same having been audited by the Comptroller.

E. T. THROOP.

Dated 4th May, 1829.



The People of the State of New-York,

To John C. Spencer, Special Attorney under the act of
April 15th, 1828, for expenses incurred in dischar-
ging the duties imposed by that act, and actually paid
by him,

1829.

DR.

March 27,	Paid to Phineas P. Bates, for his expenses in going to Harmony, Chautauque county, to serve subpennas on Isaac Farwell and Esbon Gregory, to attend the Orleans oyer and terminer, held March 23d, and for mo- neys paid out by him, by my direction, to enable those witnesses to proceed to that court, and to secure their attendance there,	\$50 19
23,	Paid Israel R. Hall, for expenses of his wife, Mary W. Hall, in attending oyer and ter- miner of Orleans county, at Albion,.....	10 00
" "	Paid Esbon Gregory, a witness, expenses, &c. attending same court, and also at Mon- roe general sessions,	7 00

Amount carried forward,..

2

\$

[No. 254.]

	Brought forward,..	\$
March 25,	Paid Israel R. Hall, for Mrs. Hall's attending at Monroe general sessions,	10 00
" "	Paid Sarah Wilder, for expenses in attending Niagara oyer and terminer, November, 1828,	5 00
April 4,	Paid John Jenison, for serving subpoena on Josiah Bacon, jr. and Leonard Denison, ..	2 18
" 17,	Paid Esbon Gregory, for attending, &c. Niagara oyer and terminer, appointed for 14th April,.....	15 00
May 6,	Israel R. Hall, for Mrs. Hall attending at Niagara general sessions, May, 1829,	10 00
" "	Paid Sarah Wilder, for attending same court, ..	3 00
" 8,	Paid Josiah Bacon, jr. for expenses, &c. in attending both Niagara oyer and terminer, appointed for April 14, and the general sessions, held May 6,.....	40 00
" 15,	Advanced to Sarah Wilder, to enable her to attend Ontario general sessions, May, 1829,	5 00
" 16,	Paid C. Walker, for serving subpoena on James Mather and Robert Anderson,....	3 00
May 20,	Paid stage fare of Isaac Farwell, from Lockport, to attend Ontario general sessions, May, 1829,	3 00
" 21,	Paid Hiram B. Hopkins, attending Ontario general sessions,.....	5 00
" "	Paid B. Wilcox, jr. expenses in bringing Fanny Stiles from Albion, to attend Ontario general sessions, and serving subpoena,	19 50
" 22,	Paid Sarah Wilder's expenses at, and returning from Canandaigua, where she attended Ontario general sessions,	8 75
" 23,	Paid Levi W. Sibley, attending Ontario general sessions,.....	7 00
" "	Paid Esbon Gregory, attending same sessions and travelling under peculiar circumstances, (see his receipt,)	30 00
" 25,	Paid Charles G. Hammond, for going from Canandaigua to Oswego, with a warrant for apprehending John Sheldon, a witness, and his own, and Sheldon's expenses,.....	41 00
" "	Paid George W. Fleming, having been advanced by him for me to James Voorhees, for going from Albany to Amsterdam, to serve a warrant on Ezra Platt, a witness, ..	10 00
June 11,	Paid J. M. Wheeler, for conveying Eli Bruce under habeas corpus to Batavia, to testify as a witness before the grand jury,.....	19 72

Carried forward,..

	Brought forward,.. \$
June 11, Paid James Ganson, attending Genesee general sessions June 6, as a witness,.....	5 00
“ “ Paid Hiram B. Hopkins, attending same court,.....	5 00
Also the following, for which no receipts are rendered :	
Postage bill to April 1, 1829	28 00
do do July 1, 1829,.....	30 00
April 16, Sent to Bates Cook, Esq. to advance to Isaac Farwell, a witness, then on his way from Chautauque county to attend the Niagara oyer and terminer, and which Farwell informed me had been paid him,.....	8 00
[If a receipt is required, I will endeavor to procure it.]	
“ 17, Paid Judge Howell, for taking affidavits and allowing three certiorari's, intended to have been used at Niagara sessions,	1 50
Paid him also for taking affidavits, and allowing habeas corpus for Eli Bruce;	50
Paid H. Gardner, for allowing habeas corpus for James Muir,	37
	<hr/> \$382 64 <hr/>

J. C. SPENCER.

Ontario County, ss.

John C. Spencer, being sworn, deposes, that the preceding amount of payments made to the different individuals above specified, is just and correct ; that the sums charged in the preceding account as being paid to persons attending courts as witnesses, were paid in each case to persons whose circumstances were such as to render it necessary and proper, in the judgment of this deponent, to make such payments and advances, in order to procure the attendance of the said persons respectively as such witnesses ; that the said persons were all necessary and important witnesses in the prosecutions of complaints against individuals implicated in the abduction of William Morgan, or on the trial of persons indicted for that offence ; that the sums so paid were adapted to the distance the witness had to travel, and his actual expenses in travelling to, attending at, and returning from court, and in one or two cases, to the peculiar circumstances of the witness, such as his sickness or detention at a distance from his residence during the interval between different courts ; that the sums above charged for postage are estimated from the post-office bills against this deponent, and that he verily believes that the same is less than the sums actually paid out by him for postage on letters received and written exclusively on the business of his appointment ; that a very extensive correspondence has been unavoidably

maintained with numerous persons in the western part of this state, and particularly with sheriffs, district attorneys, and other officers.

JOHN C. SPENCER.

Sworn, this 17th day of July, }
1829, before me, }
JEREMIAH B. RUSH,
Commissioner for Ontario County.

COMPTROLLER'S OFFICE, }
Albany, July 23, 1829. }

The foregoing account as charged in this abstract, has been this day audited by me, upon a full examination of the vouchers therewith rendered, as mentioned upon the abstract and upon the evidence contained in the foregoing affidavit, at the sum of \$382⁶¹, the amount charged.

SILAS WRIGHT, Jr.
Comptroller.

I approve of the above audit, July 27th, 1829.
E. T. THROOP.

State of New-York,
To Phineas P. Bates, Dr.

1829.

Mar. 22. To expenses in going to Panama post-office, Harmony, Chautauque county, to serve subpoena on Isaac Farwell, as a witness in behalf of the people, to attend the Orleans oyer and terminer, at the request of John C. Spencer, special attorney, &c., and to insure the attendance of said Farwell, per bill of item herewith,.....	\$20 19
Paid sheriff Sherman of Chautauque county, to bring over Farwell to court,.....	10 00
Paid Esbon Gregory, a witness subpoenaed by me on the same occasion, to enable him to attend court,	4 00
14 to 22. To eight days' service in subcpnaing Farwell and Gregory, at \$2 per day,.....	16 00
	<u>\$50 19</u>

Received, March 27th, 1829, of John C. Spencer, special attorney, &c, fifty dollars and nineteen cents, in full of the above bill.

P. P. BATES.

Memorandum of expense of subcpnaing Farwell and Gregory.

1829.

Mar. 14. Paid stage fare to Buffalo,.....	\$4 00
" for two meals,	75
Carried forward, \$	

	Brought forward,	\$
Mar. 15. "	bill at Rathbone's,.....	\$1 00
16. "	stage to Westfield,.....	2 63
17. "	three meals, brandy, lodging, &c.,	1 25
18. "	fare to Meadville, &c.,	62
19. "	bill at Ashville,	25
"	for horse and cutter,.....	1 00
"	bill at Panama,.....	19
"	" Meadville,.....	25
20. "	stage fare to Westfield,.....	38
"	lodging,.....	12
21. "	stage fare to Buffalo,.....	2 38
"	breakfast, dinner and brandy,.....	88
"	horse at Siber creek,.....	25
22. "	bill at Rathbone's,.....	1 00
"	stage to Canandaigua,	2 50
"	bill at Batavia,	38
"	" Knowland's,.....	38
Gave sheriff Sherman		10 00
" Gregory		4 00
		<hr/>
		\$34 19
Eight days at \$2 per day,.....		16 00
		<hr/>
		\$50 19

Received, March 23d, 1829, of J. C. Spencer, special attorney, &c., ten dollars, advanced to enable Mary W. Hall to attend the court of oyer and terminer, held for the county of Orleans, as a witness for the people.

J. R. HALL.

Received, March 23d, 1829, of J. C. Spencer, special attorney, &c., seven dollars, towards defraying my expenses for attending as witness in behalf of the people, and travelling from Hanover in Chautauque county, to Albion in Orleans, and to Rochester in Monroe, to testify against persons concerned in the abduction of William Morgan, and without which advance it would have been impossible for me to have left my home.

ESBON GREGORY.

Received, March 25th, 1829, of J. C. Spencer, special attorney, &c., ten dollars, advanced to enable Mary W. Hall to attend the court of general sessions of the peace held for the county of Monroe, as a witness for the people.

J. R. HALL.

Received, March 25th, 1829, of J. C. Spencer, special attorney, &c., five dollars, for my expenses attending the court of oyer and terminer at Lockport, in November, 1828.

SARAH WILDER.

The People of the State of New-York,

To John Jemison,	Dr.
Constable of the town of Hounsfield, Jefferson co.	
To serving a subpoena on Josiah Baldwin, Jr. and Leo-	
nard Denison,.....	\$2 00
To cash paid commissioner to certify to the affidavit,.....	13
	<hr/>
	\$2 13

Received pay in full,

JOHN JEMISON, Constable.

April 4, 1829.

Received, April 17th, 1829, of J. C. Spencer, special attorney, &c., fifteen dollars, for my expenses in coming from Hanover in the county of Chautauque, to Lockport in the county of Niagara, to attend the court of oyer and terminer appointed to be held in that county on the 14th inst., and returning from there, having attended at that place as a witness for the people, under a subpoena to testify against persons indicted for the abduction of William Morgan.

ESBON GREGORY.

Received, May 5th, 1829, of John C. Spencer, special attorney, &c., ten dollars, advanced to enable Mary W. Hall to attend the court of general sessions of the peace holden for the county of Niagara, as a witness for the people.

J. R. HALL.

Received of J. C. Spencer, special attorney, &c., three dollars to enable me to attend the court of general sessions of the peace held for the county of Niagara, as a witness in behalf of the people.

SARAH WILDER.

May 6th, 1829.

Received, March 20, 1829, of John C. Spencer, special attorney, &c., twenty dollars, to enable me to attend the court of oyer and terminer appointed to be held in and for the county of Niagara, on the 11th day of April, 1829, as a witness in behalf of the people on a complaint against Elisha Adams, for being concerned in the abduction of William Morgan—to attend which court I set out from my residence in Sackett's-Harbor, and travelled to Rochester, where I learned that the said court would fail, in consequence of the sickness of the circuit judge. At Rochester I was subpoenaed to attend the court of general sessions of the peace to be held for Niagara county, on the 5th day of May, 1829. Being taken sick, in consequence of my exposure in travelling, I was unable to return, and was obliged to remain in the vicinity of Lockport for the purpose of attending the said court of general sessions; during which time I received from the said John C. Spencer the further sum of twenty dollars, which was absolutely necessary to enable me to continue

there and attend the said court; and the first advance of twenty dollars herein first stated, was also necessary to enable me to set out from home.

JOSIAH BACM, Jr.

May 8. 1829.

\$40 00

Received, May 15th, 1829, of John C. Spencer, special attorney, &c., by the hands of Levi Pond, Esq. five dollars, to enable me to attend the ensuing court of general sessions of the peace, to be held at Canandaigua on the 19th inst., as a witness in behalf of the people against John Whitney, pursuant to a subpoena this day served, on me.

SARAH WILDER.

Brockport, 16th May, 1829.

John C. Spencer, Esq.

To C. Walker, Dr.

To stage fare, time, &c. to Gaines, to serve subpoena on James Mather and Robert Anderson,..... \$3.00

Received payment.

C. WALKER.

Received, May 21, 1829, of J. C. Spencer, three dollars, for the stage fare of L. Farwell from Lockport to Canandaigua, as a witness in behalf of the people against John Whitney.

HIRAM B. HOPKINS.

Received, May 21, 1829, of J. C. Spencer, special attorney, &c., five dollars, for my expenses as a witness at the general sessions of Ontario, in behalf of the people against Eli Bruce.

HIRAM B. HOPKINS.

Received, May 21, 1829, of John C. Spencer, special attorney, &c., nineteen dollars fifty cents, for my services in serving a subpoena in behalf of the people, on Fanny Stiles, to attend the general sessions of Ontario county, and serving a warrant on her as a witness for that purpose; and bringing her from Albion in the county of Orleans, to Canandaigua, including her and my expenses in travelling to and from Canandaigua, and while remaining there.

B. WILCOX, *Constable of Orleans co.*

Received, May 22d, 1829, of J. C. Spencer, eight dollars and seventy-five cents, the amount of my expenses in attending the court of general sessions of the peace in Ontario county, on the trial of John Whitney and James Gillis, and travelling to and from Brockport in Monroe county.

SARAH WILDER.

Received, May 23d, 1829, of J. C. Spencer, special attorney, &c., seven dollars, for my expenses in attending the court of general

sessions of Ontario county, as a witness in behalf of the people against John Whitney and James Gillis, on an indictment for the abduction of William Morgan, and which advance is necessary to enable me to attend the said court.

L. W. SIBLEY.

I, Esbon Gregory, certify, that pursuant to a subpoena served on me, and at the urgent request of John C. Spencer, I left Hanover in Chautauque county, on the 15th May inst. to attend the court of general sessions of Ontario county, as a witness in behalf of the people; that I was so sick as to be unable to travel in a stage, and was obliged to hire a private conveyance in order that I might occasionally rest; that I attended the said court of general sessions from the 19th to the 23d May inclusive, and was sworn as a witness on the trial of John Whitney: and I hereby acknowledge to have received of J. C. Spencer thirty dollars, to defray my said expenses, which sum was absolutely necessary to enable me to attend the said court as a witness.

ESBON GREGORY.

May 23d, 1829.

\$30 00

Received, Canandaigua, 25th May, 1829, of John C. Spencer, Esq. forty-one dollars, on account of services rendered in behalf of the people, for whom the said John C. Spencer is special attorney.

CHAS. G. HAMMOND.

Received of Mr. Fleming ten dollars, for expenses and services in going to Amsterdam, to subpoena E. Platt.

JAMES VOORHEES.

Albany, April 12th, 1829.

Received, May 25th, 1829, of John C. Spencer, special attorney, &c., the sum of ten dollars, paid by me to James Voorhees, for his expenses and services in going from Albany to Amsterdam in Montgomery county, to subpoena Ezra Platt to attend as a witness in behalf of the people at the Niagara general sessions, on complaints against Eli Bruce and others, in relation to the abduction of William Morgan, which sum was advanced by me under the general request of the said Spencer.

GEORGE W. FLEMING.

The State of New-York,

To	J. M. Wheeler,	Dr.
To serving a writ of habeas corpus on Eli Bruce,.....		\$1 50
“ fifty miles’ travel to Batavia, at one shilling per mile,.		6 25
“ cash paid for expenses,		11 95
		<u>\$19 70</u>

Received payment of J. C. Spencer, special attorney, &c.

J. BULL, Sheriff.

June 11th, 1829.

J. M. WHEELER, Under Sheriff.

Received, June 11th, 1829, of J. C. Spencer, Special Attorney, &c. five dollars, for my expenses in attending the general sessions of the peace of Genesee county, from my residence in Pike, in Allegany county, under a subpoena in behalf of the people, in a complaint against William R. Thompson and others.

JAMES GANSON,

Received, June 11, 1829, of John C. Spencer, Special Attorney, &c. five dollars, for my expenses in attending the court of general sessions of the peace of Genesee county, from my residence in Lockport, by virtue of a subpoena in behalf of the people, on a complaint against William R. Thompson and others.

HIRAM B. HOPKINS.

The People of the State of New-York,

To John C. Spencer, Special Attorney under the act of April 15th, 1828, for expenses incurred and actually paid by him, since the rendering of his account of July 16, 1829.

1829.

DR.

July 18, Paid by Walter Cushing, for serving subpoena on Esbon Gregory, an extra and necessary expense,.....	\$1 00
27, Paid Israel R. Hall, to defray expenses of himself and wife, Mary W. Hall, in attending Niagara oyer and terminer, at this date,	25 00
28, Paid Sarah Wilder, to enable her to attend the same court,.....	5 00
28, Paid Esbon Gregory, to enable him to attend the same court,	9 00
“ Paid Roswell Wilcox, to enable him to attend the same court,.....	2 00
Aug. 17, Paid T. Weed, to go in pursuit of, and to discover where Orson Parkhurst was, (a most important witness,)	78 00
19, Paid E. Parmelee, for taking T. Weed to the residence of the acting Governor, to obtain demand on the Governor of Vermont for O. Parkhurst,.....	3 50
26, Paid R. Sedgwick, for going to Montgomery county with a warrant for Prior Harris, as a witness.....	20 00
27, Advanced E. Gregory, to enable him to attend Monroe oyer and terminer, held on 31st Aug.	5 00
Sept. 3, Paid Sarah Wilder expenses of attending Monroe oyer and terminer,.....	4 00
“ Paid Ammon Augur, do. at same court,.....	4 00
“ Israel R. Hall, expenses of himself and wife, and Willis Turner, attending same court, ...	12 00

Carried forward,.. \$

[No. 254.]

3

Brought forward... \$

	For the following items, I have no receipts:	
Aug. 27,	Paid Levi Pond, (not an officer,) to serve subpoenas on S. D. Luce, S. Wilder and others,	3 00
Sept. 3,	Paid M. P. Parker and T. F. Talbot expenses in going for witnesses, and procuring information of their residence, names, &c.	6 91
	Postage bill, to the date of this account,	25.00
		\$203 44

J. C. SPENCER.

COMPTROLLER'S OFFICE,
Albany, Sept. 19th, 1829.

I audit and allow the foregoing charges, as made by the Special Attorney, finding all, except the three last, accompanied by a proper voucher, and considering the residue sufficiently substantiated by the annexed affidavit of the Attorney. The whole is two hundred and three dollars and forty-four cents.

SILAS WRIGHT, Jr.
Comptroller.

I approve of the above audit, Sept. 19, 1829,

E. T. THROOP.

Ontario County, ss.

John C. Spencer, being duly sworn, deposes that the preceding account is just and correct; that the sums charged therein as having been paid to persons attending court as witnesses, were paid in each case to persons whose circumstances were such as to render it proper and necessary, in the judgment of this deponent, to make such advances, in order to procure the attendance of said persons respectively; and that the said persons were deemed by this deponent necessary witnesses in the prosecution of complaints against individuals implicated in the abduction of William Morgan; that the charges contained therein for sums paid to persons who went in pursuit of witnesses, were paid to persons employed by this deponent for that purpose; that the witnesses referred to were deemed by this deponent of the utmost importance in the prosecution of the complaints before mentioned: that the sum above charged for postage, is estimated from the post-office bills against this deponent, and that he verily believes the same is less than the amount actually paid out by him for postage on letters received and written exclusively on the business of his appointment.

J. C. SPENCER.

Sworn, this 16th day of Sept. 1829, before me,
NAT. W. HOWELL,
First Judge of Ontario county.

Rec'd of Jno. C. Spencer, esq. one dollar, for serving a subpoena on Esbon Gregory, to attend the court of oyer and terminer at Lockport, on the twenty-eighth of July, instant.

WALTER CUSHING.

Fredonia, July 18, 1829.

Rec'd, July 27th, 1829, of J. C. Spencer, Special Attorney, &c., twenty-five dollars, advanced by him to enable my wife, Mary W. Hall, and myself to attend the Niagara oyer and terminer, now sitting, as witnesses in behalf of the people, to testify in relation to the abduction of William Morgan, and for the expenses of Wyllis Turner, in going to the same court.

\$25.00

I. R. HALL.

Received, July 28th, 1829, of J. C. Spencer, special attorney, &c., five dollars, for my expenses in coming from Brockport, in the county of Orleans, to the town of Lockport, in Niagara county, as a witness in behalf of the people, against Jeremiah Brown and others, in remaining at Lockport, and in returning from there to Brockport.

SARAH WILDER.

Received, July 28, 1829, of J. C. Spencer, special attorney, &c. nine dollars, for my expenses in coming from my residence in Hanover, Chautauque county, to Lockport, in Niagara, as a witness under a subpoena, to testify in relation to the Morgan conspiracy, and returning to my residence.

ESBON GREGORY.

Received, July 28, 1829, of J. C. Spencer, special attorney, two dollars, for my expenses in coming to Lockport, as a witness under a subpoena, to testify before the grand jury in relation to the Morgan conspiracy, and returning to my residence, in the town of Alabama, Genesee county.

ROSWELL WILCOX.

The People of the State of New-York,

To Thurlow Weed, Dr.

To my expenses in going from Rochester to Charlestown, N. H., thence to Windsor, Reading and Weathersfield, Vermont, in search of Orson Parkhurst, upon the request and employment of J. C. Spencer, special attorney, &c., travelling from the 4th to the 17th of August, being 13 days,..... \$52 00

To my services in the above employment, at \$2 00 per day for 13 days, 26 00

\$78 00

Received, Rochester, August 17th, 1829, of John C. Spencer, esq. special attorney, &c., seventy-eight dollars, in full of the above account.

THURLOW WEED.

Received of John C. Spencer, three dollars and fifty cents, in full for transporting Thurlow Weed to Auburn, on the 19th day of August, 1829.

E. PARMELEE.

Received, August 26, 1829, of J. C. Spencer, special attorney, &c., twenty dollars, towards my expenses in going for a witness, Prior Harris.

R. SEDGWICK.

Received of J. C. Spencer, five dollars, for the purpose of paying expenses on my way to attend court at Rochester in behalf of the people against S. B. Jewett, in an indictment for a misdemeanor.

ESBON GREGORY.

Le Roy, 27th August, 1829.

Received, Sept. 2, 1829, of J. C. Spencer, four dollars, for my expenses in attending the Monroe oyer and terminer.

SARAH WILDER.

Received, September 2, 1829, of J. C. Spencer, special attorney, &c., four dollars, for my expenses in attending the present court of oyer and terminer, in Monroe county, as a witness in behalf of the people, concerning the abduction of William Morgan.

AMMON AUGUR.

Received, Sept. 1, 1829, of J. C. Spencer, special attorney, &c., twelve dollars, advanced by him, to enable my wife and Mary W. Hall, and myself to attend the Monroe oyer and terminer, now sitting, as witnesses in behalf of the people, to testify in relation to the abduction of William Morgan.

I. R. HALL.

The People of the State of New-York,

To John C. Spencer, special attorney, under the act of April 15th, 1828, relative to the abduction of William Morgan,

Dr.

To services as attorney and counsel under the said act, from the 3d day of March, 1829, to the 3d day of September, in the same year, and to travelling and personal expenses, clerk hire and other miscellaneous expenditures, not included in any account rendered,..... \$1,000 00

I have not kept any account of sums paid for stage fare, tavern bills, &c., and other personal expenses, although I have little doubt that they exceed \$200. The preceding charge is, in my judgment, not an adequate remuneration; but it is put at the sum stated, so as to conform as nearly as I can consistently, with a proper estimate of my time and labor, to the charge made by my predecessor.

JOHN C. SPENCER.

*Comptroller's Office, }
Albany, 19th Sept. 1829,*

I hereby audit and allow the above charge as made, for the compensation of the said special attorney, for six months, including personal and travelling expenses, the sum being one thousand dollars.

SILAS WRIGHT, Jr. *Comptroller.*

1829, Sept. 20. I approve of within audit.

E. T. THROOP.

The People of the State of New-York,

To John C. Spencer, special attorney, under the act of April 15th, 1828, Dr.

To services as such special attorney, and for travelling and personal expenses, affidavits and other miscellaneous expenditures, not included in any account from the 3d of September, 1829, to the 3d of December, 1829, three months, \$500.00

J. C. SPENCER.

Comptroller's Office.

The above account audited at the sum of five hundred dollars, this 19th Dec. 1829.

SILAS WRIGHT, Jr. *Comptroller.*

The Comptroller will draw his warrant in favor of John C. Spencer, special attorney, &c., for the above sum of five hundred dollars.

E. T. THROOP.

Dec, 19, 1829.

The People of the State of New-York,

To John C. Spencer, special attorney, under the act of 15th April, 1828, for expenses incurred and actually paid by him, since the rendering of his account, of Sept. 16th, 1829, Dr.

Oct. 17, Sent to J. M. Canfield, Sackett's-Harbor, and to pay for serving two subpoenas and expense of affidavits of service,.....	\$ 1 00
20, Paid to Sarah Wilder, to enable her to attend at Orleans circuit, as a witness against Elihu Mather,	2 00
Paid to Esbon Gregory, to enable him to attend the same court,.....	6 00
And while there to defray expenses,	6 00
21, Paid for a man going expressly to Clarkson, to serve papers on Simeon B. Jewett,.....	2 00
23, Paid T. H. Hubbard, clerk of supreme court, for copies of returns to certiorari in the case of Elihu Mather,	8 62
31, Advanced to Hiram Hubbard, a witness, to attend Orleans circuit,	5 00
And while there, to defray expenses,	3 00
Nov. 5, Paid Philander Bennett, first judge of Erie, for services in taking depositions, "de bene esse," of Samuel L. Russell. See receipt,	5 75
Paid T. C. Love, for attending as my agent, in taking those depositions at Buffalo, drawing and engrossing, &c. See receipt,.....	10 00

Carried forward,..... \$

Brought forward,..... \$

Paid Ebenezer Perry, to enable him to attend Orleans circuit, as a witness against Elihu Mather,	5 00
3, Paid M. P. Parker, for going to Clarkson, to procure affidavits to resist motion of Simeon B. Jewett,	5 00
6, Paid I. R. Hall, to enable himself, wife and Wyllys Turner to attend the Orleans circuit, as witnesses against Elihu Mather, and to defray his and his wife's expenses there and returning,	33 00
10, Paid Robert Molyneaux, to defray his expenses in attending Orleans circuit, as a witness against Elihu Mather,	3 00
Paid Corydon Fox, for do. at same time,.....	6 00
" H. B. Hopkins, do 	4 00
" Jonathan Gates, do 	5 00
" Silas D. Luce, do 	1 50
" Dyer Sprague, do 	4 50
" Frederick B. Moore, do recp'd.....	15 00
" Christopher L. Tayler, do 	6 00
" David Seaman, do 	6 00
" Allen Kenyon, do 	3 00
" Joseph K. Brown, do recp'd.....	7 00
" Ira W. Averill, do 	2 00
" Abrm. T. Crossman, as agent specially employed for going twice to Lockport, once to Murray, &c., in pursuit of witness. See his receipt,	12 00
Paid the same person, for going to Lockport, accidentally not included in his receipt,.....	3 00
Paid B. Wilcox, jr. an agent specially employed in going to Buffalo for a witness, and transporting witness to court. Received.....	5 81
Paid Henry Howard, for going to Clarendon, &c., for a witness,.....	2 00
Paid —— Bumpus, for going twice with his carriage to Gaines, to bring William Molyneaux, a sick witness, to court,.....	2 00
Paid Leonard Denison, to defray his expenses in coming from Sackett's-Harbor, as a witness. Received.	20 00
Paid clerk of supreme court in N. Y., for copies of rule, &c., in Mather's case,.....	85
Paid for subpœnas and N. P. seals,.....	2 00
Dec. 5, Paid Daniel Cady, esq., for services in supreme court, in resisting motion of S. B. Jewett, when the Attorney-General and myself were	

Carried forward,..... \$

	Brought forward,.....	\$
both necessarily prevented from attending, by official engagements,	50 00	
Postage bill since 16th Sept.,.....	49 00	
Paid clerk of Ontario, for exemplification of re- cord of conviction of Eli Bruce,	4 45	
		<u>\$306 48</u>

Ontario County, ss.

John C. Spencer, being duly sworn, deposes, that the preceding account is just and correct; that the sums charged as having been paid to persons attending court as witnesses, were paid in each case, to witnesses whose circumstances were such as to render it proper and necessary, in the judgment of this deponent, to make such advances, in order to procure the attendance of the said persons respectively; and that the said persons were deemed by this deponent, necessary witnesses in the prosecutions of complaints against individuals implicated in the abduction of William Morgan. That the charges contained therein, for sums paid to persons who went in pursuit of witnesses, were paid to persons employed by this deponent for that purpose: that the witnesses referred to were deemed by this deponent, of the utmost importance in the prosecution of the complaints before mentioned. That the sum above charged for postage, is estimated from the post-office bills of this deponent, and that he verily believes the same is less than the amount actually paid out by him for postage on letters received and written exclusively on the business of his appointment.

JOHN C. SPENCER.

Sworn the 7th day of December, 1829, before me, Jeffry Chipman, a commissioner of Ontario county, under the act of 19th April, 1828.

Comptroller's Office.

The above account audited at three hundred and six dollars and forty-eight cents, this 19th December, 1829.

SILAS WRIGHT, Jr. *Comptroller.*

The Comptroller will draw his warrant in favor of John C. Spencer, special attorney, &c., for the above sum of three hundred and six dollars and forty-eight cents.

E. T. THROOP:

Received of John C. Spencer, Esq., special attorney in the case of William Morgan, fifty dollars, for arguing two motions in relation to an indictment against S. B. Jewett, at the last term of the supreme court.

DANIEL CADY.

Johnstown, 5th Dec. 1829.

Received, November 18, 1829, of J. C. Spencer, special attorney, twenty dollars, paid to me to defray my expenses in coming from Sackett's-Harbor to Albion in Orleans county, on my way to Lock-

port, in pursuance of a subpoena issued by the said Spencer, to compel my attendance as a witness at the circuit court in Niagara county, to testify on the trial of an indictment against Elisha Adams and Ezekiel Jewett, and for my expenses in returning to Sackett's Harbor; and I further certify, that the said payment is necessary to enable me to bear the said expenses.

LEONARD DENISON.

Mr. Spencer,

Dear Sir—You no doubt will be willing to allow my expenses in going to Buffalo, which was	\$3 81
For conveying Shelley to this place,	75
Boarding Luce and Sprague,.....	50
Transporting Sprague,.....	75
	<hr/>
	\$5 81

By sending this bill by Mr. Crossman, you will oblige

Yours, &c. B. WILCOX, Jr.

Received, November 22, 1829, the above, of J. C. Spencer.
A. T. CROSSMAN.

The People of the State of New-York,

To Alvin T. Crossman, Dr.

Going to Lockport to subpoena H. B. Hopkins, in the night,.....	\$5 00
Going to Murray and Clarendon, travelling one night and a day, and expense of an assistant in pursuit of Hannah Farnsworth, to serve a subpoena and warrant on her,.....	5 00
Going to Lockport for Hannah Farnsworth,.....	<hr/> 2 00
	<hr/> \$12 00

Received, November 22d, 1829, of J. C. Spencer, special attorney, &c., twelve dollars in full of the above bill.

A. T. CROSSMAN.

\$12 00

Received, November 21, 1829, of John C. Spencer, special attorney, &c., seven dollars, for my expenses in attending the present circuit in Orleans county, as a witness against Elihu Mather, the same being necessarily paid me to enable me to defray the said expenses.

JOSEPH K. BROWN.

Received, November 19, 1829, of J. C. Spencer, special attorney, &c., fifteen dollars for my expenses in coming to, attending at, and returning from the circuit court now sitting at Albion, in and for Orleans county, as a witness on the trial of an indictment against Elihu Mather, the same being necessarily paid me to enable me to defray the said expenses.

FRE'K B. MOORE.

John C. Spencer, Esq.

To M. P. Parker, Dr.

1829.

Oct. 24. To paid J. Christopher for horse and sulkey to go to Clarkson,	\$2 00
To going to Clarkson and expenses,.....	3 00
	<hr/>
	\$5 00

Received payment, 3d Nov. 1829.

M. P. PARKER.

Received, November 4th, 1829, of J. C. Spencer, special attorney, &c., ten dollars, for services in obtaining order for the examination of Lieut. Russell, as a witness in the cause of the people against Elisha Adams and Ezekiel Jewett, and against P. Whitney and others, in serving the said order, in attending his examination as a witness before judge Bennett, and drawing certificate and depositions, which services were rendered at Buffalo, at the request of the said Spencer.

THOMAS C. LOVE.

The State of New-York,

To Philander Bennett,
First judge of Erie county court, Dr.

1829.

Oct. 16. Order for examining Lieut. Russell, as a witness in the cause of the People vs. Elisha Adams and Ezekiel Jewett,.....	\$0 37 $\frac{1}{2}$
Attendance on motion for such order,.....	62 $\frac{1}{2}$
Order that Lieut. Russell appear to be examined, and attendance thereon,.....	1 00
Attending on his examination as a witness, 62 $\frac{1}{2}$, oath to him 12 $\frac{1}{2}$,.....	75
To same services in the cause of the People vs. Parkhurst, Whitney, Noah, Beach and others,	2 75
Taking affidavits of service of two subpoenas,..	25
	<hr/>
	\$5 75

Received, November 5th, 1829, of J. C. Spencer, special attorney, &c. five dollars and seventy-five cents, in full of the above bill.
P. BENNETT.

[No. 254.]

(B.)

Recapitulation.**Daniel Moseley, account audited**

	23d October, 1828,	\$198 58
" " "	4th May, 1829,	1,000 00
" " "	3d June, "	185 01
		<u>\$1,383 59</u>

John C. Spenceer, account audited

	30th July, 1829,	\$382 64
" " "	19th Sept. "	203 44
" " "	" " "	1,000 00
" " "	19th Dec. "	500 00
" " "	" " "	<u>306 48</u>
		<u>2,392 56</u>
		<u>\$3,776 15</u>

No. 255.

IN SENATE,

March 11, 1830.

REPORT

Of the Select Committee, to whom was re-committed
a bill from the Assembly, repealing parts of the
Revised Statutes.

Mr. Bronson, from the select committee, to whom was re-committed a bill from the Assembly, repealing so much of the Revised Statutes as authorises the commissioners of the Mount-Pleasant state prison, to act as inspectors of said prison, for one year from the first day of January, 1830,

REPORTED AS FOLLOWS, TO WIT :

That the commissioners, above mentioned, state in their report to the present Legislature, that their duty in relation to the "locating, building, &c." of said prison, has ceased with the completion of said buildings, or rather, by their near approach to completion ; and two of said commissioners, viz. Messrs. Tibbits and Allen, resigned their offices, both of building commissioners and inspectors of the prison.

The other commissioner, Mr. Hopkins, in a communication to the Legislature, signed by himself alone, intimates that he shall continue to hold the office of inspector of the prison until the Legislature may signify its wishes and opinions on the subject.

The communication which contains the above intimation, is an elaborate document, charging the keeper of the prison at Mount-Pleasant with mal-practice in the discharge of his official duties.

He also states, that his colleagues differ in opinion from himself, in relation to measures proper to be adopted regarding the keeper.

Under these circumstances, Mr. Hopkins is of opinion that his duty, as well as the interests of the prison, require him to continue to discharge the duties of inspector, until the proper authority shall have investigated and decided upon the charges made by him, against the keeper, which investigation involves also a decision of the question on which himself and his colleagues differ.

Your committee have arrived at a different conclusion, and believe that the public interest will be best promoted by the retirement of Mr. Hopkins with his colleagues, and by confiding the inspection of this prison to an entire new board. They do not deem it necessary to detail their reasons for this opinion at length.

It seems, however, to the committee, that Mr. Hopkins would find himself in a delicate, if not an embarrassing situation, as inspector of a prison whose keeper he had charged with mal-practice, and whose removal he had sought, but failed to accomplish, and at a time, too, when his charges against the keeper were undergoing an investigation.

The committee do not intend, by recommending the passage of the law referred to them, to express an opinion upon the conduct of Mr. Hopkins, while commissioner or inspector of the prison, and wish to treat him and his opinions with all the delicacy due to his standing, and the arduous and responsible trusts which have been confided to him by the state; and they regret he should have thought his duty required his continuance in office pending the investigation which he had himself invited.

All which is respectfully submitted.

No. 256.

IN SENATE,

March 11, 1830.

REPORT

Of the Committee on Claims, to which was referred
the petition of Solomon Devendorff.

Mr. Hubbard, from the committee on claims, to which was referred the petition of Solomon Devendorff, praying for remuneration for lands sold to him by the state, which are deficient in quantity,

REPORTED AS FOLLOWS, TO WIT:

That it appears from the petition and accompanying documents, that in the year 1804, Jacob H. Devendorff purchased of the state, lot No. 70, in the north west part of the Oneida reservation, and in the same year sold the said lot to the petitioner. The lot, according to the original survey, contained one hundred and eighty-six acres, and it was so afterwards patented to the petitioner, who paid the state six hundred dollars for the same. The petitioner also paid to the occupants, which he was compelled to do by the laws of the state, one hundred and eighty-two dollars, for their improvements. He also paid to Jacob H. Devendorff, for his interest in the lot, one hundred and twenty-six, making in the whole, nine hundred and eight dollars.

The petitioner has since sold the land, and given a deed of warranty. By a recent survey, satisfactory to the Surveyor-General, it has been found, that the lot contains only one hundred and seventy-five acres, and ninety-seven-hundredths of an acre. He has therefore, paid for ten acres and three-hundredths more than he received by the patent. He has been called on to make good this deficiency, and in consequence asks remuneration of the state. The committee are of opinion, that the claim is equitable, and that the state is bound, by a strict regard to justice, to pay the petitioner the value

[No. 256.]

of ten acres and three-hundredths, at the rate of the original cost, including the improvements, and the amount paid to Jacob H. Devendorff, together with lawful interest on the same.

The committee are also of opinion, that some remuneration should be made to the petitioner, for his trouble, occasioned by the deficiency in the quantity of land.

The cost of the ten acres and three-hundredths, in 1804, was about forty-nine dollars. Add the interest from that time to the present, and it will amount to one hundred and thirty-eight ; and for this sum, with a remuneration for his expenses, the committee have prepared a bill which they herewith introduce.

No. 257.

IN ASSEMBLY,

February 20, 1830.

ANNUAL REPORT

Of John C. Dobson, an Inspector of Leather for the county of Erie.

*To the Honorable the Legislature of the State of New-York,
in Senate and Assembly convened.*

The undersigned, inspector of sole-leather for the county of Erie, begs leave, respectfully, to report to your honorable body, the following statement of his official duties during the year immediately preceding and ending on the first day of January, 1830, as follows, to wit:

Of quality, best, number of sides,....	232
" good, " 	785
" damaged, " 	30

Total,.... 1047 at 4 ets. \$41 88

for my fees.

That the quantity of sole-leather in this county has increased one-fourth part in amount, and one-third in value in quality; and the prospect is fair that the amount and value will be much greater the ensuing year. I have nothing to communicate that will tend to the improvement, further than to suggest the propriety of a rigid discharge of the duties of the inspector.

All which is respectfully submitted.

JOHN C. DOBSON.

Dated Buffalo, February 17, 1830.

[No. 257.]

Erie County, ss.

John C. Dobson, being duly sworn, saith, that he, on account of sickness, hath not been able sooner to make the above report, and further saith not.

JOHN C. DOBSON.

Sworn, &c. this 17th day }
of Feb. 1830, before me, }

STEPHEN G. AUSTIN, *Justice Peace.*

No. 258.

IN ASSEMBLY,

February 18, 1830.

REPORT

Of the Select Committee, on the petition of Elias Hawley and others, in relation to Glen's Falls bridge company.

Mr. Fox, from the select committee, to whom was referred the petition of Elias Hawley and others, proprietors of the toll bridge across the Hudson river at the village of Glen's Falls,

REPORTED:

That the committee have had the same under consideration, and find that the petitioners state that the present charter was granted in 1802, and expires in 1833.

That the said bridge is important to the interest of that part of the country, and that from its present decayed condition, repairs become necessary; and the petitioners pray for a renewal of their charter, that, instead of temporary repairs, the necessary arrangements and preparations may be made for re-building the same in a permanent manner.

The committee are of opinion that the facts set forth in the petition are true, and that the prayer of the petitioners is reasonable and ought to be granted.

They have therefore prepared a bill, and directed their chairman to ask leave to present the same to the house.

[No. 258.]

No. 259.

IN ASSEMBLY,

February 17, 1830.

ANNUAL REPORT

Of N. Wilson, an Inspector of Beef and Pork for the County of Greene.

Return of the Inspector of beef and pork of the county of Greene, for the year 1829.

Inspected 4,170 bbls. prime beef.

" 587 " mess do.

" 129 " cargo do.

4,886 " beef, worth \$26,848 00

1½ " prime pork,..... 14 00

\$26,862 00

Inspection fees, \$733 12

Charges for labor, building, &c..... 244 37

Nett amount of fees, \$488 75

N. WILSON.

Catskill, 25th January, 1830.

[No. 259.]

1

No. 260.

IN ASSEMBLY,

March 11, 1830.

MEMORIAL AND REMONSTRANCE

Of the Mayor, Aldermen and Commonalty of the city of New-York.

To the Honorable the Legislature of the State of New-York.

The memorial of the mayor, aldermen and commonalty of the city of New-York,

RESPECTFULLY REPRESENTS :

That your memorialists have examined the provisions of a certain bill, reported in the Assembly, entitled "An act for the relief of the several counties in this state, other than the city and county of New-York, from the support of foreign poor," and they feel it to be their duty, to protest and remonstrate against the passage thereof:

The said bill, in substance declares, that whenever the superintendents of the poor in any county other than the city and county of New-York, shall suspect or believe any pauper who may have become a public charge on such county, to be a foreigner, and to have landed originally in the city of New-York, within the previous two years, the commissioners of the alms-house and bridewell in the city of New-York, shall be bound to provide for the support, not only of such pauper, but of any child or children which he or she may have, within two years after having arrived in this state, provided the mayor, aldermen and commonalty of the city of New-York shall either have been indemnified, or shall have compounded for the support of such pauper, of which indemnity or compounding, the report in writing to the mayor or recorder of the said city, by

[No. 260.]

any master or commander of any vessel, as by law provided, shall in all cases be *conclusive* evidence.

If there were no other objection to the said proposed bill, your memorialists respectfully submit, that the species of proof upon which the city of New-York would, according to its provisions, be saddled with the burden of supporting such paupers and their children, ought to condemn it.

It is certain that if such a bill should become a law, all foreign paupers in the other counties, will be *suspected* of having arrived and been reported in the city of New-York; and if it should so happen, that a name similar to that by which any such pauper may pass, should be found recorded on the book of alien passengers reported in this city according to law, such fact is to be conclusive evidence of the truth of such suspicion, and of the consequent liability of this city. In this manner the inhabitants of this city will be charged with the maintenance of numerous paupers, who never had arrived or been reported here; for it is well known that a large portion of the emigrants who come to this country, and who find their way into this state, bear the same names, or names so similar, that it is impossible to distinguish with certainty between them; and whenever a case of that kind should occur, it would be useless to attempt, by personal identification, to determine whether the pauper suspected by the county superintendent, and the alien passenger reported in this city, were the same or different persons. In distant counties, such investigation would be impracticable, and the result would be, that numerous impositions would be practised, and much expense unjustly visited upon this city.

But even if ~~no~~ such cases as the above should occur, the operation of the said law would be unjust and injurious to the interests of this city.

It is undoubtedly true, that of the large number of aliens who arrive and are reported in the city of New-York, a portion proceed to the country, but it is equally true, that the latter are generally the most useful and industrious class, and that those most likely to become charges upon the public, remain in the city. On the other hand, numbers of aliens find their way to the city of New-York, and are there maintained at public expense, for whom neither indemnity nor commutation money can be obtained. Many of the latter description arrive in other states, and are attracted to this city by the

superior facilities which it is supposed to afford, for gaining a livelihood, but a very considerable portion come from the British territories, through the interior of this state.

It is notorious, that the British government in order to obtain settlers in Canada, hold out peculiar facilities to poor emigrants for getting there, by which many are induced to take passages for that province who either intend from the outset to come to the United States, or after their arrival determine upon so doing, from a natural preference for our form of government and institutions, or from other causes. Those, whose previous occupations have not been agricultural, whose dispositions are vicious or lazy, or whose habits are idle or dissipated, are prone to seek a large city, and thus the city of New-York becomes the resort of numerous emigrants, generally of a worthless description, and many of whom sooner or later become a charge to the public, while those of more industrious and useful habits remain, with views of settling in other parts of the state.

If the proposed law does not actually take it for granted, that no alien paupers find their way into this state through any other channel than the city of New-York, it at least assumes, that none who become burthens upon that city ever come there from any other part of the state, and upon such erroneous and unjust principles, it admits of no reciprocity or fair distribution of whatever evils that class of persons may bring with them, but imposes upon the city all foreign paupers and their offspring, for whose support it shall be presumed, upon circumstances slight and fallacious in themselves, that indemnity has been received, in addition to the burthen of maintaining all other paupers of the same character, who cannot be prevented from coming there in various ways that admit of no such indemnity.

The support of alien paupers is, perhaps, one of the burthens most reluctantly borne in every community, and it is natural that every county in the state should endeavor to throw off as much of it as possible; but your memorialists trust that the Legislature of the state, bound, as it is, to protect equally the interests of the whole, will not sanction a measure, the certain result of which must be to increase the burden of pauperism with which this city is already unduly oppressed.

The expenditures for the alms-house, bridewell and penitentiary departments in the city of New-York, amounted, for the year 1829, to about \$125,000, of which enormous sum more than one half was expended on foreigners, while the amount of commutation money received for alien passengers, during the same year, was only \$8,700. Formerly a considerable amount was received for the support of foreign poor in this city from auction fees, but the sum derived from that source is now reduced to \$10,000 annually : commerce is depressed, and the consequence is, want of employment for the laboring poor ; and, from the same cause, nothing can be collected, in many instances, upon the bonds of indemnity taken to guard against alien passengers becoming a public charge to the city.

The expense of supporting foreign paupers must, from obvious causes, be increasing every year in this city, in an unequal proportion with the rest of the state. Against this there is, perhaps, no remedy ; and although the necessary consequence must be, increased taxation upon the inhabitants, it must be borne as an incident to the condition of things in a large city. But when a law of the state is applied for from another quarter, the plain and undisguised object of which is, to relieve as much as possible every other part of the state from the comparatively small share of this evil which falls upon it, and to throw it as much as possible upon this city, and that, upon the mistaken presumption that this city is the only medium of its introduction into the state, your memorialists would be remiss in their public duty if they neglected to resist such an attempt, by an appeal to the justice and wisdom of your honorable body against it.

As the bill in question appears to have been reported upon an application from Kings county, your memorialists would simply remark, that if it be true that the contiguity of that county to the city of New-York, has increased its number of foreign poor, it is also true, that to the same cause it owes its increasing prosperity and importance. From this cause has the village of Brooklyn almost grown into a city ; deriving a large portion of benefit from the trade and enterprize of this city, without being directly subject to the losses and public incumbrances which are their inevitable attendants. The burden for the support of foreign poor in that county, bears no proportion to that which falls upon the city from the same source ; and even if it were otherwise, your memorialists can hardly believe that the supervisors of that county could have anticipated such a bill as that now before the Legislature as the remedy, or that, upon a

full consideration of its effects, they would approve of a law of that character.

Your memorialists conclude, by respectfully praying that neither the said proposed law, nor any other of a similar tendency, may be passed by your honorable body.

By the Common Council,

WALTER BOWNE,
Mayor.

J. MORTON,
Clerk.

IN ASSEMBLY,

February 27, 1830.

REPORT

Of the Select Committee, relative to the division of the town of Brookhaven, in the county of Suffolk.

Mr. Curtis, from the select committee, to whom was referred the bill entitled "An act to divide the town of Brookhaven, in the county of Suffolk," and also the remonstrance of sundry inhabitants of said town against the same,

REPORTED—

That the petition sets forth as a principal reason for dividing said town, its large extent; being about twenty miles in width across the island, twenty-three miles on the south, and about fifteen on the north side, in length.

That said town contains upwards of six thousand inhabitants; and that the place for holding town-meetings being at the centre of the town, great inconvenience is necessarily occasioned to those who live at the extremities. They therefore ask for a division of said town, by a line running nearly east and west through the middle of the island; which, if the map furnished your committee be correct, would give, upon either side of said line, an extent of territory about equal, and from aught that appears, an equal amount of population also.

The committee are somewhat at a loss to conceive how a division of said town, in the manner sought by the petitioners, would essentially lessen the inconvenience complained of: For while, by the contemplated division of the town, some would be brought nearer to the centre of the different towns, yet others would be removed

still farther than they now are. Indeed it is obvious from the geographical situation of the town, that no other than a division into four towns would accomplish the avowed objects of the petitioners : Still, if it was the manifest wish of a majority of the inhabitants of said town, that such a division should take place ; or if such were the views of a majority of the inhabitants in either of the contemplated towns, and the same could be done without interfering with the privileges, or encroaching upon the rights of those who should be opposed to such a measure, the committee would see no good reason why the bill referred to them should not become a law.

It seems, however, that by a patent issued by Governor Dongan in 1686, incorporating the town of Brookhaven, certain fisheries were vested in the trustees and their successors for the benefit of the freeholders and inhabitants of said town, subject to the payment of certain quit-rents therein mentioned. That from their fisheries no inconsiderable revenue is derived, which goes very far toward defraying the expenses of said town.

That some years since, the trustees of said town commuted for those quit-rents ; and, among other things, as your committee are advised, it was stipulated in the agreement, that in case said town should be divided, they would pay to the individuals interested in those quit-rents, certain sums, which, in the aggregate, amount to about seven thousand dollars.

Now it should be observed, that those fisheries, or by far the most valuable of them, are contiguous to the south bay on the south side of this town. And it should also be observed, that those who ask for this division, to a man, live on this same south side : And by the fifth section of the bill before your committee, it is very modestly declared that all the rights of fishing, fowling, &c., belonging to the town of Brookhaven, before the passing of this act, shall hereafter be and remain the property of the town in which they may lie, &c. The consequence of all this would be, though vastly convenient no doubt for the petitioners inhabiting the south side of the town, that the good people on the north side would be deprived of the right of fishery, and the revenue derived therefrom not any ; but if this town should be divided, would actually be compelled to pay their share of the seven thousand dollars as the price of such division.

Without adverting to the question whether the Legislature would pass any law, the effect of which would be to disturb rights secured by charter, unless upon request of the corporation, and that too expressed in the only legitimate way, your committee deem the present measure so glaringly unjust and oppressive, as to require but a simple statement of the facts to end all further legislation on the subject.

The committee would further remark, that while the petitions for this division contain one hundred and eighty names, and them exclusively being on the south side of the line, the remonstrance contains the names of upward of five hundred, of whom a number greater than those attached to the petitions, also live on the south side.

Your committee therefore ask leave to introduce the following resolution :

Resolved, That the bill ought not to become a law, and that the petitioners have leave to withdraw their petition.

IN ASSEMBLY,

February 27, 1830.

REPORT

Of the Select Committee, on the petition of Anthony Brooks and others, collectors of the several wards in the city of Albany.

Mr. Lush, from the select committee consisting of the members of this House from the city and county of Albany, to whom was referred the petition of Anthony Brooks and others, collectors of the several wards in the city of Albany,

REPORTED—

That the collectors represent in their petition that, on account of the extreme scarcity of money at this season of the year, they will be unable, without an extension of time can be obtained in the manner solicited in their petition, to collect a considerable portion of the amount authorised by their several warrants to be collected, without creating great distress among the poorer classes of people in this city.

Your committee have taken the pains to inquire into the state of their collections, and have ascertained on investigation, that a great proportion of the taxes still remaining due and uncollected, are, in the event, to be paid by that class of the community, and that an immediate pressure on them by levy and sale, would cause the sacrifice of a large amount of personal property, consisting of such articles as are necessary in their families, and would bring with it great distress, if not ruin, on a considerable portion of our citizens.

Impressed, therefore with these considerations, your committee have concluded, that the prayer of the petitioners is reasonable and ought to be granted, and have instructed their chairman to ask for leave to introduce a bill for that purpose.

IN ASSEMBLY,

March 1, 1830.

REPORT

Of the committee on Grievances, on the petition of
Edmund Simpson.

Mr. Granger, from the committee on grievances, to whom was referred the petition of Edmund Simpson,

REPORTED—

That the petitioner represents that he is the lessee of a theatrical establishment in the city of New-York, commonly known as the Park Theatre: that the lease thereof was taken by him with reference to the laws as they existed anterior to the passage of a law entitled "An act to create a fund in aid of the society for the reformation of juvenile delinquents, and for other purposes," passed April 29, 1829: that by said act an annual tax of five hundred dollars is imposed upon each theatre within said city; which tax the petitioner considers "oppressive, partial and unjust."

From the formation of our government to the present time, the Legislature has vested in the municipal authorities of the several cities and incorporated villages, the power to grant licenses for shews and exhibitions, upon such terms as might be established by said authorities, or as should be declared by legislative enactment; the committee, therefor, have confined themselves to the single question, whether the tax demanded by the law of the last session is unjustly severe in its amount.

To arrive at a correct conclusion upon this point, your committee have been greatly aided by the conduct of the petitioner.

[No. 263.]

The same Legislature that created the law of which the petitioner complains, also declared by an act entitled "An act for the prevention of masquerades," passed April 25, 1829, that it should not be lawful for the manager or keeper of any theatre in the city of New-York, to permit within said theatre any masquerade, or masquerade ball, and inflicted a penalty of one thousand dollars for any infraction of said law; yet it is well known that the petitioner, Edmund Simpson, has recently permitted the said Park Theatre to be used for the purposes prohibited by the said last mentioned act.

Your committee, therefore, can neither suppose that an annual tax of five hundred dollars, can be considered as oppressive upon an establishment whose proprietor can seek pecuniary advantage, by the payment of a penalty to double that amount, for the profits of a single night; nor do they find in the facts set forth, or in the manner in which that theatre is conducted, such peculiar regard for the laws of our state, and for the public morals, as to make it an object of legislative sympathy. They have instructed their chairman to report the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

No. 264.

IN ASSEMBLY,

March 12, 1830.

REPORT

Of the Committee on Claims, on the petition of Joseph Hackney.

The committee on claims, to whom was referred the petition of Joseph Hackney,

REPORT—

That the petitioner claims bounty lands, or a compensation therefor, on account of revolutionary services. He states in his petition, that he enlisted into the army of the revolution in the fall of 1782, for three years, at the German-Flatts. Soon after his enlistment he was marched to West-Point, and attached to the regiment of New-York artillery, commanded by Colonel Lamb. He was retained in service during the period of his enlistment, and when that expired enlisted again, and was marched to Muskingum, Ohio. He continued attached to the army nearly six years after he was marched to the west, and has resided in that section of country ever since. Having been successful in business after he left the army, and far removed from his native state which he had left at an early age, he made no application for bounty lands, thinking them of little consequence. A change in his circumstances has brought him in the decline of life, an applicant at your doors.

These facts are proved by the oath of the petitioner, of whose respectability your committee have the most satisfactory evidence. It is shown to your committee, that he is now and has been for several years a judge of the county courts in a neighboring state. In addition to his own affidavit, he supports his claim by the evidence of William Hackney, of Canajoharie in the county of Montgomery.

[No. 264.]

This witness appeared before your committee, and was duly examined on oath. His statements confirm all the material allegations in the petition. He was also a soldier in the revolution, having enlisted at the same time and place, and served in the same company and regiment as Joseph Hackney, the petitioner. Being a *during-the-war-man*, he was discharged at its close, and returned home. William Hackney has received a patent for his bounty land, but Joseph Hackney has not, as is evident from the balloting book and the testimony adduced.

Your committee believe this to be a case in which there can be very little doubt as to the facts or the equity of the claim. It presents an opportunity to do justice to one who early in life embarked in the cause of his country, and has since shown himself worthy of her confidence and regard. Your committee have prepared a bill for his relief, which they ask leave to introduce.

No. 265.

IN SENATE,

March 11, 1830.

REPORT

Of the select committee to whom were referred the petitions of the Long Island Sound Harbour Company, and of the Masters and Pilots of vessels navigating the waters of the Long Island Sound.

Mr. Sherman, from the select committee, consisting of the Senators from the first senate district, to whom was referred the petition of the Long Island Sound Harbour Company—and also the petition of the masters and pilots of vessels navigating the waters of the Long Island Sound,

REPORTED AS FOLLOWS, TO WIT:—

That they have examined the subject referred to them, and bestowed upon it that attention which the nature of the case required.

The object which the petitioners have in view is highly meritorious and interesting, not only to a large portion of the inhabitants of Suffolk county, but to the extensive navigation carried on and conducted through the Long Island Sound.

It has been a subject of complaint, emanating from both of these interests, that the eastern shore of the Sound, for a distance of more than seventy miles, has been, and still is, entirely destitute of a harbour for the shelter of vessels, or a landing place for produce. This deprivation subjects a great portion of the raisers of produce to great sacrifice of time and expense in transporting their articles by land, to the northern part of the island to find a harbour, in order to send the same produce southerly to the city of New-York.

This harbour to which they are obliged to resort, is at the head of an inland bay, connected with the Sound by a long, serpentine, narrow inlet, of dangerous navigation; yet bad as it is, an extensive trade is carried on between it and the city of New-York, and other places, and keeping in employ about sixty vessels of various descriptions, transporting the productions, and supplying the wants, of that part of the island.

These vessels, together with a number of others plying between eastern ports and this place, and New-York, have long been subjected to the inconvenience, loss and damage, arising from the want of an intermediate harbour of easy access, into which they can enter, and escape the perils of an approaching storm.

Such a harbour and landing place would extend great relief and many advantages to the inhabitants, and the farming interest, by shortening the distance of land transportation. To a great portion, it would save a travel of from twenty to thirty miles, and at the same time furnish a place of deposit twice that distance nearer by water, to the destined market.

This subject is presented in a more public and general point of view, as appears to the committee, by the second petition signed by the masters and pilots navigating the Long Island Sound. This Sound is the great thoroughfare for ships, and vessels of all descriptions, belonging to different states in the Union, as well as foreign nations. The number in sight is often immense—traversing the Sound in different directions; and the navigation is considered as safe as any other, in ordinary weather. But in inclement and stormy seasons of the year, or when threatened with tempest, and sudden danger, a harbour is their only hope and safety—and many vessels not having been able to reach one in time, have been driven on shore and destroyed. Much property, and many lives have been lost, and are lost almost annually, for want of such adjacent accommodation. In this respect the navigation of the Sound is more perilous than the ocean side; where vessels can stand out at sea, and clear the dangers of the coast.

The petitioners, impressed with these considerations, employed an engineer to survey the eastern shore, for the purpose of ascertaining the most eligible situation for a harbour—and very soon fixed upon a spot, which nature seemed to point out for that purpose. An inland water or pond, 850 feet from the shore, situated

in the town of Southold, was ascertained to be of sufficient depth and extent, to accommodate about one hundred vessels, of almost any tonnage. From this pond to the shore of the Sound the petitioners propose to cut a channel, or ship canal, which will cost about forty thousand dollars. And the petitioners pray for the passage of an act, incorporating them, by the name of "The Long Island Sound Harbour Company," with a capital of the above sum, to be divided into shares of twenty-five dollars each, for the purpose effecting their object.

The committee are of opinion that the prayer of the petitioners is reasonable and proper, and ought to be granted—and for that purpose the committee have prepared a bill, and ask leave to introduce the same.

No. 266.

IN ASSEMBLY,

March 12, 1830.

MEMORIAL

Of the Female Association of New-York, praying
for pecuniary aid.

*To the Legislature of the State of New-York, in Senate and
Assembly convened:*

The memorial of the female association of New-York,

RESPECTFULLY REPRESENTS :

That their institution was founded in the year 1798, "for the relief of the sick poor;" that in the course of their visits of mercy, among this peculiarly suffering portion of the needy, they early became convinced, that however strong the claim of these for physical relief, the call for the moral and literary melioration of their children was eminently greater, as but few schools for their benefit existed in the city, and those were under the immediate care of churches, and conducted on sectarian principles, excluding a large portion of the population, and also entirely inadequate to the numbers and wants of the poor.

Your memorialists, therefore, turned their attention to the establishment of a school for female children, to be conducted on perfectly catholic principles, and open to all who were proper objects of a gratuitous education, whatever might be the religious opinions of the parents. They accordingly commenced a school of this description in the year 1800, and as no seminary of the kind had previously existed in this place, the Female Association may be justly considered as the pioneers in the great work of dispersing the heavy cloud of moral and literary darkness which pervaded the city of New-York, and under the shadow of which, a large portion of its poor population were growing up in ignorance and vice.

[No. 266.]

With limited funds, the association, for several years, pursued its silent and unobtrusive, but meritorious and useful labors, confined to the support of a single school. But after the "Public School Society," of which noble institution the Female Association may be deemed the parent stock, had been some years in operation, your memorialists being assisted by the trustees of that society with the gratuitous use of two rooms in their buildings, were enabled to enlarge their operations, and for several years supported and conducted three female schools, containing about seven hundred children.

In the year 1813, the association was incorporated by the Legislature, and some years after was admitted to a participation in the common school fund, by the aid of which, they were able successfully to continue their schools for a series of years, to the great advantage of thousands of the children of the most destitute poor of the city.

Under the operation of the law of 1824, relative to the distribution of the common school monies in New-York, and the ordinance of the corporation which followed said law, your memorialists were deprived of all further participation in those funds, and thus were reduced to the necessity of immediately discontinuing one of their schools, and shortly after, of giving up another. Under various discouragements, the association persevered in the support of their only remaining establishment, until within two years, when they found their resources so much exhausted, that it became expedient either to give up the school entirely, or to make some change in the mode of operation which would admit of a curtailed expenditure.

Unwilling to quit the field of usefulness in which they had been so long engaged, your memorialists thus circumstanced, were induced to turn their attention to a younger class of the children of the poor, and to adopt the infant school system.

That, with the first dawning of intellect, and so soon as the faculty of speech is developed, the mind and heart of the infant are susceptible of receiving instruction, and of being trained in habits of moral order; that education consequently cannot be commenced at too early a period of life; and that with respect to the children of the poor this is of pre-eminent importance, in order that they may be protected from the contaminating influence to which, in a large city, they are so greatly exposed, your memorialists consider such plain truths as not to require argument.

In reference to the peculiar system of instruction which has been introduced within a few years for very young children, the association can adopt the language of the trustees of the public schools. "They have become satisfied of its superior advantages in unfolding the infant intellect, and that the system is applicable to children of all classes; but to those of the poor, there are incidental circumstances which render it particularly appropriate." With these views, your memorialists commenced an infant school, which is now attended by nearly two hundred children of both sexes, and which, in its operation and results, has been highly gratifying to the association.

But the pecuniary means are wanting to carry their views into effect, and aware of the deep interest which the Legislature of New-York has always evinced in the great cause of education, your memorialists are induced respectfully to submit their wishes to the consideration of the fathers of the state, with an earnest desire that such a donation may be granted them as will enable them to continue this useful and commendable charity.

Witness the seal of said Female Association, this sixth day of
[L. S.] March, 1830.

MARY MINTURN,
First Directress.

SARAH C. HAWXHURST,
Secretary.

No. 267.

IN ASSEMBLY,

February 24, 1830.

REPORT

Of the Committee on the Establishment and Improvement of Roads and Bridges, and the Incorporation of Turnpike Companies, on the petition of sundry inhabitants of the county of Clinton.

Mr. Sanford, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to whom was referred the petition of sundry inhabitants of the county of Clinton,

REPORTED:

That the petitioners pray for the passage of an act, authorising them to draw from the treasury three thousand dollars: one thousand five hundred dollars to be repaid to the state in three years, by a tax on said county, for the purpose of opening and working a road through a part of their county.

That on examining the papers referred to them on this subject, the committee have not been able to discover that any notice of such application has been given, as required by law in such cases. They have therefore directed their chairman to introduce the following resolution:

Resolved, That the petitioners have leave to withdraw their petition.

IN ASSEMBLY,

February 26, 1830.

REPORT

Of the Committee on the Establishment and Improvement of Roads and Bridges, and the Incorporation of Turnpike Companies, on the petition of sundry inhabitants of the town of Johnsburgh, in the county of Warren.

Mr. Mott, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the town of Johnsburgh, in the county of Warren, praying for money to build a bridge across the west branch of the Hudson river,

REPORTEDE:

That they have duly considered the subject referred to them, by which it appears that the object of the petitioners is to obtain the sum of two thousand dollars from the state for the purpose of building a bridge across the west branch of the Hudson river, in the county of Warren.

The reasons set forth in the petition in justification of their claim, not having been sufficiently satisfactory to induce the committee to recommend the passage of a law in favor of the prayer of the petitioners, they directed their chairman to introduce the following resolution :

Resolved, That the petitioners have leave to withdraw their petition.

[No. 268.]

No. 269.

IN ASSEMBLY,

March 4, 1830.

REPORT

Of the Committee on Grievances, on the petition of Gotlieb Kraick.

Mr. Granger, from the committee on grievances, to whom was referred the petition of Gotlieb Kraick,

REPORTED :

That in consideration of his services in the revolutionary war, the petitioner, on the 8th day of July, 1790, obtained letters patent for lot No. 85, in the town of Cicero, in the Military tract. The petitioner represents, that owing to his poverty he was for a long time unable to explore said lot, which, upon examination, proves to be wholly unsusceptible of cultivation; which averment is sustained by an affidavit accompanying the petition, and relief is asked from the state.

Without dwelling upon the insufficiency of the proof in this case, and that your committee may not create the delusive hope, that should the fact stated by the petitioner be substantiated, he might expect remuneration from the state, they feel it due, as well to him as to the House, to declare that they cannot suppose that the Legislature would ever sanction a doctrine by which it would be called upon to pass in judgment upon the respective value of the lands that the just bounty of the state has awarded to the soldiers of the revolution.

The petitioner, in common with others, took the equal "hazard of the die;" and while all will regret that the intended justice of the state has not carried to him a reward more adequate to the services

[No. 269.]

he has rendered, your committee cannot believe that there is any one who will contend that it is either necessary or safe for the Legislature to attempt to equalize the value of this wide spread bounty among its many recipients. They have directed their chairman to report the following resolution :

Resolved, That the petitioner have leave to withdraw his petition.

IN ASSEMBLY,

March 4, 1830.

- REPORT

Of the Committee on the Judiciary, in relation to the election of justices of the peace, &c.

Mr. M. F. Shepherd, from the committee on the judiciary, to whom was referred the bill entitled "An act to amend an act entitled 'An act concerning the election of justices of the peace,' passed May 4, 1829," as also a resolution passed by this House directing that committee to inquire into the expediency of providing by law for the election of justices of the peace to fill vacancies occasioned by death or otherwise,

REPORTED :

That they have examined the same, together with the law of the 4th of May last, to which it is intended as an amendment.

The committee are unanimously of opinion that the bill submitted for their examination ought, with some alterations, to be passed into a law. The sole object of the bill is to supply vacancies which may from time to time occur in the office of justice of the peace, nine or ten months earlier than they can be filled by the present law, which in many towns is frequently a matter of great importance to the inhabitants. And as it is desirable to provide for every case, which by any means may occur that would cause unnecessary expense or delay in the administration of justice; and as one, two or more of the officers of justice of the peace, might possibly become vacant in a single town within a few weeks after the annual town-meeting, the committee have therefore thought proper to strike out the 2d, 3d

and 4th sections of said bill, and have also introduced a new section which becomes necessary, on account of the delay that has attended the passage of this bill; and, with these alterations, they recommend that it be passed into a law; and now ask leave to introduce the same.

No. 271.

IN ASSEMBLY,

March 4, 1830.

REPORT

Of the Committee on Grievances, on the petition of Junia Curtis.

Mr. Granger, from the committee on grievances, to whom was referred the petition of Junia Curtis,

REPORTED :

That the petitioner represents that in the year 1825, he was employed by Simeon Ford, the engineer of the pump-works at Salina, to build new pump-works at said village, and to perform other services, involving heavy expenditures on the part of the petitioner. The bill for which labor and materials were from time to time presented by the petitioner to the said engineer, who made no objection until after the whole work had been completed. That after the completion of said works, he often requested said engineer to settle said accounts, which he neglected to do ; and that after several fruitless attempts to make a settlement, he, the petitioner, agreed to submit said accounts to John Maynard, then inspector of salt at Salina.

The petitioner further represents, that the accounts between the engineer and himself were presented to said inspector, and that then for the first time, the said engineer objected to the charges made by your petitioner, who, after much trouble, substantiated items of account to the amount of about \$6,500, and that the account of said engineer amounted to about \$3,300, leaving a balance due to the petitioner of \$3,200. That before the final adjustment of said accounts, the petitioner was taken severely and dangerously sick ; during which time, the said inspector partially audited said accounts, and

certified a balance of one hundred and nine dollars as due to the petitioner.

The petitioner further represents that he has since requested a re-examination of said accounts by the superintendent and inspector, but that said officers have doubted their right under the existing laws to re-examine said accounts, or to make any further adjustment thereof; and the petitioner prays that the said superintendent and inspector, or either of them, may be authorised to re-examine said accounts, and to make such determination in the premises as they may think just.

The facts above recited are made upon the oath of the petitioner, and are supported by several affidavits from persons whose situation and employment at the salt works gave them opportunities to be well informed as to the facts stated by him, and one of whom was employed as agent to the engineer, and who all concur in the opinion and belief, that a large sum of money yet remains due and unpaid to the petitioner for the labor done and materials furnished at said works.

Upon a full view of the facts thus set forth and substantiated, your committee are unanimously of opinion that the prayer of the petitioner is reasonable and should be granted. They have directed their chairman to prepare and to ask leave to introduce a bill.

No. 272.

IN ASSEMBLY,

March 15, 1830.

MEMORIAL

Of the General Executive Committee of the Mechanics' and other Working men of the city of New-York.

To the Honorable the Legislature of the State of New-York.

The memorial of the general executive committee of the mechanics' and other working men, and those friendly to their interests, in the city of New-York,

RESPECTFULLY SHEWETH :

That your memorialists have learned with deep concern, that there is a bill before your honorable body, to repeal the present law imposing a tax on bank stock ; against the passage of which your memorialists respectfully remonstrate.

The impolicy as well as the injustice of such a measure to the inhabitants of the city and county of New-York, your memorialists will endeavor to show.

The substitute offered in lieu thereof, to tax individual stockholders, has been found inoperative, and can reach but a small part of the capital invested in the monied institutions now subject to taxation in this city ; in proof of which your memorialists respectfully call your attention to the following facts : In 1822, the year immediately preceding the present law to tax stock companies going into operation, the whole amount of personal property assessed and subject to taxation, was \$17,958,570. In 1823, the present law went into operation, and the amount of personal property arose to \$33,246,941,

[No. 272.]

making a difference of \$15,288,370, the first year, arising from the different mode of taxation.

The whole amount of capital, including insurance and other incorporate companies returned this year, 1823, was \$18,643,700. If the increase as above stated, be deducted from this amount, it will give the probable amount of the capital of these companies which paid a tax in 1822, when stockholders only were subject to taxation, which would be \$3,365,329.

The capital of the thirteen banks in this city which come under the provisions of the present law, as returned by the assessors in 1829, was \$11,991,447, and paid into our treasury \$54,039 02.

The amount of bank capital assessed in 1829, was only \$5,967,123 less than the *whole* amount of personal property in 1822.

The whole amount of stocks exclusive of real estate, assessed in 1829, was \$21,944,235, being \$3,985,664 more than the total amount of personal property returned in 1822. The amount assessed on this stock, was \$98,960 96, of which \$54,039 02 was assessed on bank stock, the greater part of which your memorialists conceive will be lost to the city, provided the present law should be repealed, and the former mode of taxing stockholders adopted.

The personal property of this city, as returned by the assessors for the last eight years, has been as follows:

Personal property.	Real estate during same period.
In 1822, \$17,958,570,.....	1822, \$53,000,000
" 1823, 33,246,941,.....	1823, 50,000,000
" 1824, 35,550,906,.....	1824, 52,000,000
" 1825, 42,734,151,.....	1825, 58,000,000
" 1826, 42,534,931,.....	1826, 64,000,000
" 1827, 39,594,156,.....	1827, 72,000,000
" 1828, 36,879,653,.....	1828, 77,000,000
" 1829, 35,694,196,.....	1829, 76,000,000

Your memorialists are aware that those interested in the passage of the bill now before your honorable body, contend that by bank stock, large amounts of foreign capital have been driven out of our city, and that by continuing the present system, all foreign capital will eventually be driven from us, much to the detriment of both city and county; that it will lead to distraction in all business, and

go nigh to ruin this whole community. But with what semblance of truth these arguments are urged upon your honorable body, your memorialists will further proceed to show.

From the statements before made, your honorable body will perceive that the personal property of this city, increased from 1822 until 1826, \$24,576,361, and your memorialists believe that this great increase arose from the following causes :

1st. Taxing stock companies instead of stockholders, and

2d. From an opinion then generally disseminated, not only in the country, but also in Europe, that the city of New-York was the most favorable place for the investment of capital, in the whole civilized world, which may be attributed in a great measure to our canals, that were then about being completed.

From 1826 to 1829, the personal property of the city decreased \$6,838,795, while during the same period, the real estate of the city increased \$12,000,000, arising principally from investments in permanent improvements, in the opinion of your memorialists, lots having generally fallen.

The cause of the decrease of personal property in this city since 1826, your memorialists believe is to be accounted for on entirely different principles from those advanced by the advocates for a change in the present law.

Your memorialists believe, that much more capital was concentrated here in 1825 and '26, than could be advantageously employed, and that some of this surplus capital may in consequence thereof, have been withdrawn from the city. That experience has generally proved this to be the result of unusual prosperity is a fair deduction. In proof of this, your memorialists will direct your attention to many of our western villages, that have experienced similar reverses, in common with our city during the same period.

All who are acquainted with the business transactions of our city the last fifteen years, will recollect the disasters that befel our merchants in 1826, the memorable year that their previous visionary speculations came to a crisis : the bubble burst, but the consequences that followed we sincerely hope may never again be experienced in this city or country.

For a time, confidence was almost annihilated, and this community was threatened with universal ruin. Until that time our city had prospered, notwithstanding this *odious bank tax*, to a degree almost unparalleled in the history of any country. But all the effects of those disastrous speculations which terminated in 1826, have not as yet been fully developed.

Your memorialists believe that the causes of the decline of personal property in this city for the last three years, may be attributed, in a measure, to the following circumstances :

1st. The disastrous mercantile operations before alluded to, which have since carried with them some of the most distinguished and wealthy merchants that this city has produced; some of whom were generally supposed to have been worth millions, and who, through credits derived from the custom-house, sustained themselves until 1827 or '28, when they failed, unable to pay a farthing on a pound.

2d. From the embarrassed state of many incorporated companies, since 1826, the bankruptcy of some and the curtailment of the capital of others, arising from their capital having been in some cases fictitious, consisting of stock notes, &c., which was, nevertheless, anterior to this, assessed to a large amount.

3d. We would respectfully call your attention to other facts, which would of themselves, in the opinion of your memorialists, carry conviction to any body of men. We allude to the amount of investments in permanent improvements in our city for the last four years, which has been much greater than the decrease of personal property, while the ground on which these improvements have been made has greatly depreciated, even to the amount of one million of dollars in one of our wards, in a single year.

Your memorialists believe that it can be clearly shown, that most of the *real* capital withdrawn from our incorporated companies has been invested in real estate.

The total of the sunk, fictitious and withdrawn capital of our incorporated companies since 1826, when personal property began to decline, is \$7,450,000; a great part of which was, by controversy, fictitious.

No. 273.

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IN ASSEMBLY,

March 4, 1830.

REPORT

be^r ~~for~~ ~~to~~ Of the Select Committee, on the petition of sundry
grocers in the city of New-York, in relation to the
act concerning juvenile delinquents, &c.

Mr. Ostrander, from the select committee, to which was referred
the petition of sundry grocers in the city of New-York, praying for
a repeal in part of the act entitled "An act to create a fund in aid
of the society for the reformation of juvenile delinquents in the city
of New-York, and for other purposes," passed April 29, 1829,

REPORTED—

That one of the provisions of the law above referred to, is the
imposition of an additional tax of one dollar and fifty cents upon all
persons obtaining a license to sell liquors: and the amount thus raised
is directed to be paid to the treasurer of the society for the re-
formation of juvenile delinquents. This tax, together with its ap-
propriation to the institution alluded to, are the subjects of complaint
to which the committee have directed their attention: and although
your committee view with deep interest the benevolent objects of
that institution, yet they feel unwilling that it should derive its chief
support from a particular portion of the community..

The principles of a free government are such as to secure to every
citizen the privilege of pursuing any lawful calling, so long as he
does not interfere with the rights of others: and a continuance of
this tax would, in the opinion of your committee, operate as a re-
straint upon the exercise of this invaluable privilege, and might jus-

[No. 273.]

1

tify a belief of the unwillingness of the Legislature to render justice to our citizens, and protect them in the unmolested enjoyment of their rights.

The institution to which this tax complained of is appropriated, is commonly known as the house of refuge ; an institution which is open to the reception of offenders from all quarters of the state, and among the number at present undergoing the process of reformation within its walls, are many who have been sentenced by various criminal courts in different parts. Viewing this establishment as forming an important part of our penitentiary system of the state, your committee cannot perceive the justice of the law which imposes upon an industrious class of the community, the burden of maintaining it, when ample means should be provided by the state for its support. Indulging in the reasonable persuasion that the Legislature will accede to the wishes of the petitioners, the committee have therefore prepared a bill, and ask leave to introduce the same.

IN SENATE,

March 16, 1830.

REPORT

Of the Canal Commissioners, on the petition of sundry inhabitants of Utica, for a bridge over the Erie canal.

The canal commissioners, to whom the honorable the Senate has referred the petition of sundry inhabitants of the village of Utica, praying for the erection of a bridge over the Erie canal,

REPORT—

The petitioners complain that a bridge which was built over the canal on Breese-street, in Utica, and was knocked down some years ago, has not been rebuilt.

They represent that the person for whose accommodation the bridge was erected, was bound to keep it in repair, but that he is now deceased, and they are left without any means of enforcing the rebuilding of it. They therefore claim from the Legislature, the same accommodation that has been granted to other parts of the said village, in the erection of bridges by the canal commissioners.

When the canal was constructed through the village of Utica, the land lying around the site of the aforesaid bridge was cultivated and used for farming purposes solely. The bridge was built for the accommodation of the farm, but with an understanding that the state should be subjected to no further expense, either in repairs or rebuilding. It is not recollectcd by the canal commissioners that there was any obligation on the part of Mr. Breese, to maintain the bridge; on

the contrary, as it was erected exclusively for his use, it is presumed that he was left to do as he might please in regard to it.

The commissioners have erected bridges on improved farms, and on public roads, which were intersected by the canal at the time of its construction, and they have left to individuals, and to communities, the erection of such other bridges as might be required to accommodate roads and other improvements, made subsequent to the construction of the canal.

In the present case, no one but the owner of the farm had any claim upon the state, and his claim has been fully satisfied, by a compromise with the canal commissioners.

The street and the lots, which the petitioners wish accommodated at the public expense, have all been laid out, and the lots purchased since the canal was made, and the purchasers voluntarily took them with a knowledge of all the benefits, and also of all the disadvantages which the canal had attached to them.

In as much therefore, as the petitioners have not been deprived of any advantages which they ever possessed, or which as matter of right they could justly claim from the state; and as the street which now requires a bridge has been laid out to pass over the canal since its construction, the canal commissioners are of opinion that the expense of erecting the bridge should be defrayed by the individuals who are to be benefitted by it.

HENRY SEYMOUR,
S. YOUNG,
Wm. C. BOUCK.

Albany, March 12, 1830.

IN ASSEMBLY,

March 4, 1830.

REPORT

Of the Select Committee, on the petition of J. Richardson and others, of the county of Cayuga, relative to horse racing in said county.

Mr. R. L. Smith, from the select committee, consisting of the members of this House from the county of Cayuga, to whom was referred the petition of J. Richardson and others, inhabitants of that county, praying that the provisions of the act entitled "An act to amend the act entitled 'An act to prevent horse racing, and for other purposes,' passed April 5, 1828," may be extended and apply in all respects to the county of Cayuga,

REPORTED—

That the act above named regulates the race course in the county of Dutchess, and may be found in the laws of 1828, at page 210.

From the best consideration your committee have been able to give the subject, they are unanimously in favor of granting the prayer of the petitioners.

For several years past, courses for horse racing in the county of Cayuga have been kept up and maintained in open violation of the existing laws on the subject; and it has now, by a sort of common consent among the citizens of that county, been deemed dishonorable to inform against the owners, projectors, aiders and abettors of such race courses, or the owners of the horses running races.

But there are evils attending such unlawful races, far greater and more demoralizing than the mere trials of the speed of horses. Gam-

ing in a great variety of forms, such as cards, dice and wheels of fortune, are the sure attendants, and as now practised, the inseparable concomitants of such unlawful races. These games are played in the open streets and fields, and managed by a set of desperate sharpers and cheats, drawing around them and their devices for picking pockets, crowds of the unsuspecting and credulous young men of our country, who hazard and lose more or less of the earnings of honest industry.

Gambling is not the only vice and violation of the laws attendant upon these races : the sale of ardent spirits upon the course, and the consequent intoxication of many of the multitude follow in their train. Could these evils be prevented ; these open law-breakers be restrained, and a race course established under the control and management of gentlemen of known honor and integrity, your committee are convinced that the cause of morality would be promoted, and an encouragement afforded to the farmers of the rich and populous county of Cayuga to improve the breed of that useful and noble animal the horse.

Your committee have looked into the law regulating the Dutchess county course, and are satisfied with all its provisions : While it strictly guards against the illegalities and excesses above enumerated, and provides for the prompt administration of the laws by the constituted authorities, and affords that encouragement for improving the breed of horses sought for, it also gives to the lovers of the sports of the turf their holy day.

Your committee therefore ask leave to bring in a bill.

IN ASSEMBLY,

March 4, 1830.

REPORT

Of the Select Committee, on the bill entitled "An act to increase the number of the guard at the Mount-Pleasant state prison."

Mr. Gansevoort, from the select committee, to which was referred the bill entitled "An act to increase the number of the guard at the Mount-Pleasant state prison,"

REPORTED—

That it appears from a communication from the agent at that prison, made to the chairman of the standing committee on state prisons, that the situation of the quarries at the Mount-Pleasant prison is such that the convicts cannot be profitably employed without an increase of the guard, and that the interests of the state would be promoted by the immediate passage of the law authorising the agent to increase the guard to twenty-four. According to the present law, the guard at the state prison consists of sixteen privates and one sergeant.

The commissioners of the state prison at Mount-Pleasant, in their last annual report made to the honorable the Senate on the 6th day of January last, state that the number of convicts in that prison on the 31st day of October last, was five hundred and sixty-nine, and that one hundred and fifty-two convicts were received in the state prison during the year ending on that day. From the best information within the reach of your committee, the present number of convicts at that prison exceed six hundred.

[No. 276.]

Your committee are informed, and so represent to this House, that several contracts for marble remain unexecuted on the part of the state; and that a large contract has recently been made by the agent of that prison with the corporation of the city of Albany, to furnish marble for the City-Hall now erecting in this city: and being satisfied that the profitable progress of the work in the quarry necessarily demands the employment of an additional number of convicts, and believing that the number of the guard authorized by the existing law is insufficient for that purpose, and that to enable the state to meet its engagements, the number of the guard ought immediately to be increased, your committee recommend that the bill referred to them be engrossed for a third reading.

No. 277.

IN ASSEMBLY,

March 1, 1830.

REPORT

Of the Comptroller, in obedience to a resolution of
the honorable the Assembly of the 20th February
last.

COMPTROLLER'S OFFICE.
Albany, March 1st, 1830. }

HON. ERASTUS ROOT,
Speaker of the Assembly.

SIR—

I have the honor herewith to transmit a report made in obedience to a resolution of the honorable the Assembly, of the 20th of February last.

With great respect,
I am your obedient servant,
SILAS WRIGHT, Jun.

[No. 277.]

1

REPORT, &c.

STATE OF NEW-YORK,
COMPTROLLER'S OFFICE.

The Comptroller, in obedience to a resolution of the honorable the Assembly, directing him to report to that house, "copies of the lists furnished by the several banks in the city of New-York, showing the residence of the stockholders of said institutions, not residing within the county of New-York, with the amount of stock held by such stockholders, and their residence respectively,"

RESPECTFULLY REPORTS :

That to have answered the resolution literally and fully according to its terms, would have required a period of time, and an amount of labor which the Comptroller did not suppose the house could have intended, as it would have demanded "copies" of all the returns made by all the banks in the city of New-York, under the tax law of 1823, and embracing those returns for the years 1823 and 1827, inclusive. Not being in possession of the information desired by the house, any further than was inferred from the language of the resolution, it was concluded to give an abstract from the returns of the New-York banks for the year 1827, (the returns being more perfect in that than in any former year,) containing the names of all the stockholders residing out of the city of New-York, the amount of stock held by each, and the place of residence of each, so far as shown by the returns.

It is understood at this office, that those stockholders whose places of residence are marked as "unknown," resided out of the state, and that that was the reason for this designation, instead of the place of residence. That abstract is annexed to this report, marked A, and from its length, the house will be able to form an opinion of the time which would have been required to have made copies of the returns of those banks for five years, as this is but a small part of the copy of their lists of stockholders for one year.

Since this course of answering the resolution was adopted, the Comptroller has been informed that the object of the mover of the resolution, would not be accomplished by this statement for one

year, as it would form no means of comparing the amounts of the stock of the New-York banks, held out of the city for the different years. Another statement has therefore been prepared, showing the amount of stock of each of these banks, held out of the city of New-York, in each of the years of 1823 and 1827; the amount held out of the city and within the state, and the amount designated as "unknown," which is understood to be held out of the state, with a separate column, in which is entered the amount held by the state, as that cannot of course be located, except as being held within the state.

This latter statement would have been extended to all the years when these returns were made to this office, had it not been found that doing this, would necessarily delay this report for some days longer, and as it was understood that the house were impatient for the answer to their resolution, that labor has been omitted. It is hoped however, that the statement sent will answer substantially the objects of the resolution, and that the omission to make them more full, will be excused, from the inconvenience of further delay in making this answer. The statement last above mentioned, is annexed, marked B.

Respectfully submitted,
SILAS WRIGHT, Jr.

Dated, 1st March, 1830.

DOCUMENTS.

(A.)

"Copies of the lists furnished by the several banks in the city of New-York, shewing the residence of the stockholders of said institutions, not residing within the county of New-York, with the amount of stock holden by such stockholders, and their residence respectively," made in obedience to a resolution of the Assembly of the 20th Feb. 1830.

Abstract from the list of stockholders rendered by the *Manhattan Company*, to the Comptroller's office for the year 1827. The stock of this institution is \$2,050,000, and a share of the stock is \$50. The whole of the stock as shown by the list, is owned in the city of New-York, except the following :

Stockholders names and residence.	Shares.	Amount.
John Agate, Westchester county,	7	\$950
Thomas Agate, do.	20	1,000
Sarah Adair, unknown,.....	11	550
Chas. Atwater, do.	100	5,000
Mary Allen, Albany,.....	172	8,600
Nicholas Anderson, unknown,	53	2,650
Abigail Anderson, do.	18	900
Margaret Armstrong, do.	5	250
Charles Anthon, Utica, Oneida county,....	222	11,100
John J. Barnard, cashier, New-Haven,....	200	10,000
Margaret A. Babcock, deceased,	18	900
James Baxter, unknown,.....	2	100
Robert Blake, executor, unknown,	35	1,750
Joseph Barron, New-Jersey,	5	250
Frederick Babcock, do.	22	1,100
Jacob Bradford, dead,	60	3,000
Frederick Babcock, guardian, New-Jersey,..	16	800
Henry Barclay, unknown,.....	8	400
Alexander Bain, out of the state,.....	87	4,350
Sarah Grace Bean, Dutchess county,	6	300
Joseph Bedell, Richmond county,	31	1,550
Cornelius Bergen, unknown,	10	500
Cornelia Benson, dead.....	4	200
John Breath, do.	114	5,700
Robert Bennet, do.	25	1,250
Rev. Abraham Beach, New-Jersey,	32	1,600

Carried forward,....

Stockholders names and residence.	Shares.	Amount.
Brought forward,.....		
Margaret Beck, unknown,.....	30	\$1,500
Andrew Bell, do.	14	700
Mary Benedict, do.	10	500
Caleb Brintnall, do.	40	2,000
Wm. C. Brinkerhoff, do.	5	250
Samuel Bowne, do.	6	300
William Boyd, dead,.....	50	2,500
Anthony J. Bonnett, unknown,	66	3,300
Wm. Browne, dead,.....	41	2,050
Daniel Bowie, do.	140	7,000
John Bowne, Queens co.,	26	1,300
Willet Bowne, do.	33	1,650
Vincent Boisanbin, out of the state,.....	25	1,250
Eliza Bowne, Queens co.	18	900
Christiana Bouhill, unknown,.....	3	150
Edmund Bolderd, out of the state.....	74	3,700
Jane W. Bogert, unknown,.....	1	50
Catharine Brownjohn, do.	22	1,100
Jane Brower, do.	2	100
Ann Bowne, Jr., Queens co.....	12	600
James Bloodgood, Long-Island,	34	1,700
John Bloodgood, do.	33	1,650
Martha Brown, unknown,.....	4	200
Catharine Bowne, Queens county,.....	12	600
Ann Bolton, unknown,	10	500
Charles Bowne, do	2	100
John W. Bowne, do	2	100
Hannah H. Bowne, do	2	100
Hannah Bull, do	46	2,300
Archibald Campbell, Schenectady,	50	2,500
Daniel D. Campbell, do	143	7,150
Mary Chamberlain, New-Jersey,.....	30	1,500
Samuel Cannon, dead,.....	150	7,500
James Casey, do	3	150
Raynal Veure Chardonnay, out of the state,	47	2,350
John C. Clarkson, trustee, unknown,	44	2,200
Sarah Crane, do	5	250
Selah S. Carl, do	50	2,500
Samuel Cornell, do	16	800
Joseph P. Cooke, do	5	250
Nathan Cooper, do	25	1,250
James Cooper, do	46	2,300
Francis Cooper, &c. executor, do	193	9,650
Thomas Coliser, senior, do	80	4,000
John H. Corry, do	2	100
Elias Conover, do	14	700
Eliza H. Contoit, dead	230	11,500

Carried forward,..

Stockholders names and residence.	Shares.	Amount.
Brought forward,..		
Daniel Corlidge, unknown,.....	74	\$3,700
Anna Maria Connelly, dead,	61	3,050
John Currie, unknown,	100	5,000
Elizabeth Davis, out of the state,.....	5	250
Rebecca Dawson, unknown,.....	12	600
Lloyd S. Danberry, Westchester county,..	20	1,000
Jonathan Dayton, guardian, New-Jersey, ..	99	4,950
Elizabeth Dagget, unknown,	4	200
Jonathan Dayton, New-Jersey,	12	600
Ann Dalrymple, New-London,.....	25	1,250
Geraud Dernier, unknown,.....	80	4,000
Elizabeth Dewint, Dutchess county,	68	3,400
F. P. H. De Heleand, out of the state,....	103	5,150
David A. Demerest, unknown,	50	2,500
Caroline A. Dewint, Dutchess county,	19	950
John D. P. Douw, Albany,.....	60	3,000
Elizabeth Dunkin, do	200	10,000
Ann Dulany, out of the state,.....	5,000	250,000
Peter Duyudam, dead,	5	250
John Ducasse, unknown,.....	197	6,850
M. V. D. Dubois, do	5	250
Mary Ann Evans, out of the state,.....	250	12,500
John Franklin, unknown,	5	250
Walter Farrington, Queens county,.....	32	1,600
Audrey Farley, unknown,	19	950
Eve Fiegenheim, unknown,	5	250
Thomas Ferris, do	14	700
Daniel R. Fellenbergh, do	30	1,500
Mary and John Ferguson, out of the state,.	100	5,000
Elizabeth Field, unknown,.....	5	250
E. T. Fitch, do	12	600
Nicoll Floyd, Long-Island,.....	26	1,300
Zebulon Frost, unknown,	6	300
Phebe Floyd, Long-Island,.....	100	5,000
Abraham Furman, do	15	750
Sarah Gardiner and others, do	49	2,450
Frederick Garner, dead,.....	149	7,450
David J. Gardiner, Long-Island,	134	6,700
James G. Graham, unknown,	25	1,250
Jane Graham, do	26	1,300
Albert Gallatin, out of the state,	55	2,750
Nathaniel Gardner, Long-Island,	3	150
Sarah Gardiner and others, do	49	2,450
Sarah Gardner, do	71	3,550
Sarah Gardiner and others, (2d parcel,) do	302	15,100
Maltby Gelston, Long-Island,.....	150	7,500
M. Gelston & D. S. Jones, do	61	3,050
Elizabeth Greene, unknown,	2	100
Carried forward,..		

Stockholders names and residence.	Shares.	Amount
Brought forward,..		
Ashbel Greene, treasurer, New-Jersey, ...	3	\$150
Charlotte Gibbs, unknown,.....	12	600
David Greene, dead,.....	100	5,000
J. & D. Graham, unknown,	20	1,000
Ann Maria Hazard, do	10	500
Sarah L. Halstead, trustee, do	2	100
John Haff, Westchester county,.....	2	100
Elizabeth Haydock, Long-Island,.....	12	600
Wm. Harrison, dead,.....	93	4,650
Wm. Hamilton, unknown,.....	10	500
Moses Hart, Lower Canada,.....	64	3,200
Micah Hawkins, dead,.....	20	1,000
John T. Harrison, Staten-Island,	75	3,750
Jerusha Havens, unknown,	8	400
Martha Hewlett, do	40	2,000
James Hewlett, do	20	1,000
William Hewlett, do	23	1,150
Elizabeth Hentz, do	15	750
Elizabeth Hicks, Long-Island,	36	1,800
Caroline Hicks, do	36	1,800
Scott Hicks, do	52	2,600
Ann Hicks, do	36	1,800
Edward Hicks, do	20	1,000
John Hegan, do	18	900
Sarah Hodge, unknown,	2	100
Charlotte Horton, do	2	100
Richard Hunt, do	4	200
Ann M. Hurton, do	3	150
Elizabeth Hulett, do	6	300
Garrit Hyer, dead,.....	11	550
Cornelius Hyatt, unknown,	14	700
John Jay, Westchester,.....	14	700
George Janeway, dead,.....	61	3,050
William Jay, Westchester,	10	500
Samuel F. Jarvis, out of the state,.....	49	2,450
Andrew Inderwick, unknown,	10	500
John S. Jesse, out of the state,.....	63	3,150
James A. Ivers, unknown,	21	1,050
Margaret Jenkins, do	2	100
Eleanor Jones, dead,	23	1,150
Daniel Jones, Long-Island,.....	11	550
Sarah W. Jones, unknown,.....	26	1,300
Charles F. Johnson, do	9	450
Cornelia Juhel, Le Raysville, Jefferson co.	36	1,800
Thomas Keefe, dead,.....	27	1,350
Francis Keenan, do	8	400
Lawrence Kearney, U. S. navy,	20	1,000
Mary Klingser, unknown,	10	500
Carried forward,..		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,....		
Martha King, unknown,.....	20	\$1,000
Nicholas Lansing, Westchester,.....	64	3,200
Wm. Lawrence, dead,.....	9	450
Jared Landon, unknown,.....	4	200
John Lawrence, dead,.....	110	5,500
John R. Lauffer, out of the state,	30	1,500
F. A. B. La Millier, do	246	12,300
Reuben Langdon, unknown,	45	2,250
Daniel W. Lake, do	10	500
David Lamberson, do	5	250
Mary Lagear, do	25	1,250
Catharine A. Lawson, do	18	900
Phillipine La Favre, out of the state,.....	24	1,200
Eliza Lee & Mark Tier, trustees, unknown,	19	950
Wm. Leverich, do	16	800
Eliza Lewis, do	23	1,150
Thomas J. Leslie, do	80	1,500
Brockholst Livingston, dead,.....	1	50
Robert James Livingston, do	18	900
Julia Livingston, unknown,	2	100
Joseph Loyack, do	100	5,000
Horatio N. Loring, do	22	1,100
Daniel Lott, do	15	750
Jeremiah Lott, do	35	1,750
Mary C. L'Hommedieu,do	68	3,400
Dan'l Ludlem, Jr. do	49	2,450
Mary Lynn, do	45	2,250
Wm. Lyon do	40	2,000
Maria M'Kesson, do	30	1,500
Catharine M'Gennis do	21	1,050
Mary M'Crea, do	30	1,500
Andrew M'Gown, Sr. do	20	1,000
Mary M'Crea, do	20	1,000
Mary M'Alpine, do	8	400
James M'Allis, do	21	1,050
Peter Martin, do	10	500
Henry Mason, do	70	3,500
Abraham D. Mead, do	7	350
John Meserole, Long Island,	26	1,300
Jeremiah Meserole, do	4	200
Maria Meserole, do	4	200
Edward Meeks, dead,	25	1,250
Isaac Mead, Jr. unknown,.....	34	1,700
J. Mead, Jr. & Co. agents, do	18	900
Nehemiah Merritt, out of the state,	200	10,000
Ephraim Miller, unknown,.....	36	1,800
James Mitchell, do	5	250
Henry Mitchell, do	80	4,000
Carried forward,....		

Stockholders' names and residence.		Shares.	Amount.
	Brought forward,...		
Anna Miller,	unknown,	57	\$2,850
Wm. B. Miller,	do	30	1,500
Henry Mills	do	77	3,850
Hugh Montgomery,	do	8	400
Petrie Mountenegro,	do	42	2,100
Abby Monteer,	do	10	500
Joanna Murphy,	do	1	50
Andrew Murray,	do	32	1,600
Mary Myers,	do	5	250
James Nelson,	do	4	200
Thomas Nixon, dead,	.....	145	7,250
A. Y. Nicoll, New-Jersey,	.....	316	15,800
John Nichols, unknown,	.....	71	3,550
Matthew Northam, do	.....	22	1,100
Lemonis Noe, do	.....	20	1,000
Darby Noon, dead,	.....	100	5,000
Catharine Northam,	unknown,....	5	250
Estate of Elizabeth Nostrand,	do	6	300
Thomas Nugent,	do	100	5,000
Tho's J. Oakley, Dutchesse,	.....	17	850
Timothy O. Marker,	unknown,....	9	450
Thomas Oglevie, trustee,	do	92	4,600
Alexander Oglevie,	do	10	500
John B. Orso,	do	50	2,500
John Parton,	do	60	3,000
Francis Panton,	do	16	800
Ab'm Prall, dead,	.....	48	2,400
Robert Patton, executors of,	unknown,	35	1,750
Sarah B. Payne, Queens co.	.....	9	450
Francis Perry, unknown,	.....	10	500
James Perry,	do	33	1,650
Sarah Perry,	do	6	300
Walter Perry,	do	20	1,000
H. M. Perry,	do	7	350
Charles Perry,	do	2	100
Hetty Perry,	do	10	500
Henry Perry,	do	10	500
Abagail Phillips, Jr.	do	5	250
Jannet Pike,	do	4	200
Joseph Pickering,	do.	5	250
Robert Primrose, North Carolina,	.....	20	1,000
Benjamin Pierson, unknown,	.....	3	150
Lewis Pintard, dead,	.....	26	1,300
Frederick Phillips, Westchoster,	.....	60	3,000
Wm. T. Provost, unknown,	.....	41	2,050
Hannah Porter,	do	22	1,100
George Rankin,	do	11	550
Hannah Rattoone,	do	4	200
	Carried forward,....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,....		
John Rathbone, Newark,.....	125	\$6,250
Louise M. Reallon, out of the state,.....	18	900
Margaret Reynolds, unknown,.....	4	200
Jacob Rhinelander, do	363	18,150
John Rider, do	5	200
George Richardson, do	5	200
William Ruy, do	8	400
John Robert, dead,	20	1,000
James F. Rogers, unknown,	22	1,100
William S. Robert, do	25	1,250
Maria Robert, do	26	1,300
John Rodman, do	17	850
John R. B. Rogers, New-Jersey,.....	260	13,000
Mary Robert, unknown,....	41	2,050
John V. Robbins, do	4	200
Martha Rose, do	20	1,000
Philip Ruckle, do	4	200
John Rutherford and others, do	19	950
Sarah Ann Ryder, do	10	500
Nathan Sanford, Albany,.....	100	5,000
Jeremiah V. Spader, Long Island,.....	4	200
John Sayre, unknown,.....	10	500
Gertrude Sackett, Long Island,	4	200
Esther St. John, unknown,.....	10	500
P. M. Starr, Ohio,.....	50	2,500
John Savournier, unknown,	35	1,750
Christopher Sands, Dutchess co.	9	450
Francis Saunier, unknown,.....	40	2,000
John Spader, Long Island,	4	200
John S. Sage, unknown,.....	8	400
Phebe Sands, do	5	250
James Shaw, do	20	1,000
Wm. F. Seaman, dead,	10	500
Hannah Spencer, unknown,	64	3,200
Andrew Service, out of the state,.....	109	5,450
Samuel S. Seward, Virginia,.....	17	850
Valentine Seaman, unknown,.....	20	1,000
Nathaniel Smith, Queens,.....	100	5,000
Thomas Smith, unknown,	9	450
Joseph S. Simpson, do	10	500
Ellen Simpson, Westchester,.....	14	700
Sampson Simpson, do	56	2,800
Simeon Skillings, unknown,	10	500
Tabitha Smith, do	5	250
Othneil Smith, do	7	350
William Simmons, do	12	600
Egbert T. Smith, do	1	50
Peter Smith, do	10	500
Carried forward,.....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Charles J. Smith, unknown,	2	\$100
Elizabeth Shoemaker, Long-Island,	30	1,500
Thomas Scott, unknown,	5	250
John Scoles, do	11	550
Mary Shoals, do	5	250
Walter Scott, do	5	250
Francis Sutherland, do	100	5,000
John H. Sutermeister, Ulster co.,.....	37	1,850
Samuel Scudder, estate of, unknown,.....	151	7,550
Mariah E. Stewart, out of the state,	20	1,000
Benjamin Taylor, unknown,.....	20	1,000
James Tallmadge, trustee, Dutchess co....	21	1,050
Peter Taulman, unknown,	4	200
James Tallmadge, Dutchess co.,.....	185	9,250
Mariah Thacher, unknown,	1	50
Caroline Taylor, New-Jersey,.....	26	1,300
Wm. Taylor, unknown,	5	250
Mariah Thorn, do	22	1,100
Robert Townsend, do	20	1,000
Ulric Tobler, dead,	47	2,450
R. & J. Thompson, New-Jersey,	149	7,450
Trustees Princeton College, New-Jersey,..	187	9,350
Susan A. Tucker, &c., unknown,	6	300
Peter Turner, New-Hampshire,.....	100	5,000
James Turner, unknown,	20	1,000
Ann Tucker, do	11	550
Richard Udall, Long-Island,.....	82	4,100
Abm. Van Gelder, jr., unknown,.....	15	750
Stephen Van Cortlandt, Dutchess co.,	22	1,100
Ann Van Derbilt, unknown,.....	18	900
Pierre Van Cortlandt, jr., Dutheess co,...	10	500
Cornelius Van Cleef, unknown,.....	4	200
Susanna Van Gelder, do	15	750
Eliza Van Antwerp, do	22	1,100
Philip G. Van Wyck, Croton,	10	500
Daniel Van Duzer, Long-Island,.....	40	2,000
Garret Van Der Veer, unknown,	46	2,300
Ann Van Rensselaer, Albany,	16	800
Catharine Van Wyck, unknown,.....	51	2,550
Henry I. Vatable, out of the state,.....	64	3,200
Richard Vose, Oneida co.....	208	10,400
Richard Vose & others, executors, do	55	2,750
Eliza L. Waddell, New-Jersey,.....	37	1,850
Francis Wayland, &c., trustees, unknown,.	24	1,200
John Wauch, out of the state,.....	4	200
Daniel B. Warden, Paris,.....	167	8,350
Mary M. Wallace, unknown,.....	20	1,000
Jacob A. Warnaek, do	23	1,150
Carried forward,.....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Benjamin Weed, jr., unknown,.....	40	\$2,000
Moses Weed, do	20	1,000
Moses Wheeler, out of the state,.....	22	1,100
Samuel Wilson, unknown,.....	17	850
E. D. Whittlesey & others, do	6	300
Rebecca R. Wickham, do	14	700
Eve White & others, trustees, do	154	7,700
Moss White & others, trustees, do	6	300
Augustus Wright, do	130	6,500
Mary Williams, do	40	2,000
Cornelius T. Williams, do	20	1,000
Mary Woodhull, Long-Island,	12	600
Selah S. Woodhull, unknown,	51	2,550
Ruth H. Woodhull, do	40	2,000
Silas Wood, do	20	1,000
T. Woodward, secretary, New-Haven,....	31	1,550
William Wykoff, unknown,	30	1,500
Thomas Whitelow, out of the state,	20	1,000
Abraham Wykoff, unknown,	36	1,800
Ann Whytlaw, do	120	6,000
John L. Zabriskie, do	70	3,500
Albert Zeerleeder, out of the state,	50	2,500
	20,458	\$1,022,900

Abstract from the list of stockholders rendered by the *Mechanics' Bank* of the city of New-York, to the Comptroller's office for the year 1827. The stock of this institution is \$2,000,000, and a share of the stock is \$25 00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following:

Stockholders' names and residence.	Shares.	Amount.
John Agate, Westchester co.,	21	\$475
Susan Arden, do	70	1,750
Thomas Aetley, Philadelphia,	40	1,000
Elizabeth Allbright, Connecticut,	13	325
Jan Aikma, Holland,.....	15	475
Charles Atwater, Connecticut,.....	106	2,650
Samuel Abbot, West-Indies,	800	20,000
Daniel Bartow, Philadelphia,.....	150	3,750
Joseph Battell, Connecticut,	120	3,000
Joseph Barron, New-Jersey,	45	1,125
P. L. Barron, France,.....	18	450
Mary Barker, Westchester,	10	250
Laforet Blanchet, West-Indies,	12	300
Love Baker, New-Jersey,	300	7,500

Carried forward,.....

Stockholders' name and residence.	Shares.	Amount.
Brought forward,.....		
Eliza Ann Bennett, Kings co. Long-Island,	250	\$6,250
Abraham Beach, Connecticut,	28	700
Jacob Berry, Kings co.....	20	500
Jehoikim Berg, Dutchess,	14	350
Andrew Bell, New-Jersey,	33	825
Thomas Beldin, Connecticut,.....	50	1,250
Rachel Berry, Queens co.	58	1,450
Mott Bedell, do	50	1,250
Caleb Brintnall, Connecticut,.....	63	1,575
John Blight, Kings co.....	12	300
James Bloodgood, Queens co.	40	1,000
Vincent Boisanbin, New-Jersey,	80	2,000
S. Brown, Queens co.....	7	175
Anthony J. Bonnett, West-Indies,.....	150	3,750
Rev. J. Bowden, New-Jersey,.....	48	1,200
Rev. D. S. Bogert, Queens co.	142	3,550
Mary J. Bowden, New-Jersey,	17	425
J. S. Brognard, Jefferson co.	25	575
James Benen, New-Jersey,	100	2,500
Henry Burbeck, Pennsylvania,	150	3,750
Giles Buckingham, Connecticut,	170	4,250
Anna Crane, New-Jersey,	21	475
Pierre Charles, France,	43	1,075
Charlotte Craig, Orange co.....	46	1,150
John H. Craig, Philadelphia,.....	12	300
Raynale M. Chardonnay, France,	232	5,800
James Colles, in trust, New-Jersey,	81	2,025
do do do do	309	7,725
John Cornelison, do	60	1,500
Gershom Cook, Troy,.....	10	250
Claudius Croquet, Virginia,.....	20	500
Juan Danglade, Carthagena,.....	125	3,125
Jonathan Dayton, Suffolk co.	13	325
Dorothy Demming, Connecticut,.....	83	2,075
David A. Demerest, New-Jersey,.....	380	9,500
Gerard Dennix, France,	268	6,700
Charles Denning, Connecticut,	56	1,400
Delavigne Bonnaire, West-Indies,.....	306	7,650
Charles Denning, Connecticut,	81	2,025
John Ducassel, France,	182	4,550
Richard Everett, Connecticut,.....	50	1,250
Walter Franklin, Queens co.	12	300
Benjamin Fish, Philadelphia,.....	20	500
Daniel W. Frost, West-Indies,.....	200	5,000
James Foster, Queens co.....	1	25
Abm. Furman, do	49	1,225
Abm. Furman, jr. do	22	550
George Gaulo, Washington co.	6	150
Carried forward,.....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Gardner Greene, Boston,	600	\$15,000
William Greene, Queens co.	240	6,000
John Gore, Staten-Island,.....	39	975
J. & D. Gorham, Connecticut,	170	4,250
Asahel Hathway, jr. do	20	500
Samuel Hayes, New-Jersey,	10	250
Ann Hardenbrook, Orange co.	5	125
Ann Herring, Rockland co.	3	75
Moses Hart, Upper Canada,	57	1,425
Lydia Henry, New-Jersey,	20	500
Wm. Hewlett, Queens co.	15	375
Fr. Hernandez, West-Indies,	341	8,525
George Hicks & Co. Kings co.....	67	1,675
John Hopkins, Boston,	300	7,500
Samuel Jarvis, Connecticut,.....	20	500
Isaac Iselin, Switzerland,	35	875
William L. Johnson, New-Jersey,.....	24	600
Rev. Samuel R. Johnson, do	36	900
Wm. Johnson, do	8	200
Moss Kent, Albany,	46	1,150
Mary Kerr, Schenectady,.....	40	1,000
Mary Kensey, Kings co.....	83	2,075
Jane Kensey, jr. do	59	1,475
Mrs. Jane Kensey, do	197	4,925
Sarah W. Kensey, do	11	275
Anna Kensey, do	59	1,475
Margaret H. Kensey, Boston,	200	5,000
Daniel W. Lake, Staten-Island,.....	81	2,025
Maria Lachainar, West-Indies,	112	2,800
Jno. Lawton & Thomas Wright, Greene co.	82	2,050
William Leverich, Queens co.....	25	625
Rachael Linton, Westchester,	34	850
Robert Linton, do	34	850
Joseph Loyac, West-Indies,.....	50	1,250
Jeremiah Lott, Kings co.	84	2,100
Catharine Lott, do	18	450
Phebe Lott, do	15	375
Samuel Lockwood, Connecticut,	75	1,875
Moses Long, guardian, do	16	400
Daniel Ludlum, Queens co,	13	325
William M'Leod, Orange co.	272	6,800
William M'Leod, in trust, do	6	150
John T. Marsh, Westchester,.....	137	3,425
J. Mead, jr. & J. Mead, agents, Connecticut,	48	1,200
Zophar Mead, do	76	1,900
William F. Miller, do	112	2,800
Rev. Samuel Miller, New-Jersey,.....	80	2,000
Henry Mills, Orange co.....	8	200
Carried forward,.....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Middletown Bank, Connecticut,.....	400	\$10,000
E. Moore, do	92	2,300
New-Haven Insur. Co. do	85	2,125
Henry Overing, Westchester co.....	353	8,825
Jno. B. Orso, Orange co.	100	2,500
Wm. A. Paynter, Queens co.....	14	350
John Parton, Kings co.....	100	2,500
James Perry, Orange co.	45	1,125
Jedediah Perkins, Connecticut,.....	32	800
James Pierce, do	28	700
Henry Pope, trustee, Kings co.	9	225
Ann Phinney, New-Jersey,	35	875
Hannah Rattoone, do	8	200
Thomas Rattoone, do	37	925
St. Andrew's Church, Staten-Island.....	107	2,675
John Rodman, Orange co.,.....	10	250
Elizabeth Robertson, England,	191	4,525
Anthony Rogers, Schenectady,	25	625
Marthy Rose, New-Jersey,	36	900
Jane Ramsey, Orange co.	5	125
Elizabeth Stansbury, Oneida co.	54	1,350
Nehemiah Sayre, Kings co.....	8	200
S. Samsimore, Virginia,	5	125
Nathan Sanford, Albany,	200	5,000
William St. John, Connecticut,	27	675
William Sackett, Queens co.	31	775
Joseph Sanford, Kings co.	63	1,575
Elihu Sanford, Connecticut,.....	15	375
R. H. Salter, do	20	500
William Sayre, Suffolk co.....	4	100
Daniel Sterling, Connecticut,.....	90	2,250
Isabella Stewart, Queens co.	274	6,850
Rachel Seaman, Kings co.	10	250
Laban Smith, Connecticut,.....	10	250
Benjamin Smith, New-Jersey,.....	40	1,000
Sarah Swim, Kings co.	16	400
Catharine Solomon, Albany,	42	1,025
Tredwell Scudder, Suffolk co.....	40	1,000
Jas. Tallmadge, guardian, Dutchess co....	300	7,500
A. L. Tainter, Connecticut,	65	1,625
Sarah Tainter, do	20	500
Thomas Tredwell, Queens,	25	625
Jno. B. Timberlake, Virginia,	124	3,100
Mariah Thorne, Queens co.	15	375
S. S. Townsend, Orange co.	10	250
Jno. Townsend, Queens co.	4	100
Obadiah Townsend, do	4	100
Wm. M. Totten, do	35	875

Carried forward,.....

Stockholders' names and residence.

	Brought forward,.....	Shares.	Amount.
Trustees of Princeton college, New-Jersey,	512	\$12,800	
Sarah Van Dozen, do	2	50	
Cath'n Van Wyck, Westchester,.....	34	850	
Ann Van Rensselaer, Albany,.....	40	1,000	
Jane Van Nuyse, Queens co.	8	200	
Elizabeth Van Wyck, Dutchess co.	25	625	
Henry J. Vatable, West-Indies,.....	70	1,750	
Elizabeth Valentine, Westchester,.....	93	2,325	
Nathaniel Valentine, do	54	1,350	
Leon Valeon, France,.....	36	900	
Mary Watson, New-Jersey,.....	63	1,550	
Mary Walton, Dutchess co.	139	3,225	
E. Warren & Co. Troy,.....	400	6,000	
D. B. Warden, France,	171	4,275	
Thos. Wright, Greene co.	60	1,500	
David Williams, Kings co.	20	500	
Mary A. White, Connecticut,.....	12	300	
M. R. Wilkins, North-Carolina,.....	5	125	
Mary E. Wood, New-Jersey,.....	6	150	
Jno. L. Zabriskie, do	40	1,000	
	<hr/> 15,051	<hr/> \$376,275	<hr/>

Abstract from the list of Stockholders, rendered by the *Union Bank*, to the Comptroller's office, for the year 1827. The stock of this institution is \$1,000,000, and a share of the stock is \$50 00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, to wit:

Stockholders' names and residence.	Shares.	Amount.
A. Ackerman, New-Jersey,	15	750
Mary Alsop, Connecticut,.....	26	1,300
John Alsop, do	10	500
Josiah Abbott, unknown,	16	800
S. Abbott, sen., West-Indies,.....	200	10,000
Madam Laforest Blanchet, do	25	1,250
R. Babcock, Rhode-Island,.....	20	1,000
Thos. Bartrum, Connecticut,	7	350
Joseph Burr, Vermont,.....	84	4,200
Vincent Boisanbin, New-Jersey,.....	192	9,600
John Bunker, unknown,	36	1,800
Harriet Brown, Bermuda,	15	750
Lownds Brown, unknown,.....	28	1,400
Walter Booth, do	12	600
Eleazer Bulkley, do	40	2,000
Abel Beers, Connecticut,	10	500
Susan Bussing, unknown,.....	8	400

Carried forward,.....

[No. 277.]

Stockholders' names and residence.	Shares.	Amount.
Brought forward,....		
Sevryn Bruyn, Ulster co.....	20	\$1,000
Mrs. Sally Bennett, unknown,.....	8	400
Mary L. Beach, New-Jersey,	10	500
George Bulkley, Connecticut,	10	500
Philip Chetwood, New-Jersey,	16	800
William Chetwood, do	100	5,000
Margaret Champlin, Rhode-Island,	229	11,450
Abigail Cadman, Boston,	10	500
Charitable Society, New-Jersey,.....	5	250
Daniel Cock, Long-Island,	50	2,500
Mary Conklin, unknown,	40	2,000
Miriam Cornwall, Long-Island,	9	450
E. Cowles, Connecticut,.....	100	5,000
Martin Cowles, do.	27	1,350
Mrs. Lydia Cook, Bermuda,	46	2,300
Isaac N. Coles, Long-Island,	52	2,600
Thomas Cotterell, England,.....	440	22,000
F.R. Chetwood, New-Jersey,.....	46	2,300
Nancy Cunningham, Connecticut,.....	8	400
Sarah Crane, unknown,	12	600
J. H. & S. M. Cornwall, do	50	2,500
James Casey, Connæcticut,.....	60	3,000
Gerard Dennux, France,.....	50	2,500
Bonnaire Delavigne, unknown,	41	2,050
Jno. D. P. Douw, Albany,	20	1,000
Elizabeth Dagget, Connecticut,.....	13	650
Mary Deming, do	52	2,600
Frederick Deming, do	45	2,250
Dorothy Deming, jr. do	25	1,250
Lavielle Du Bercean, New-Jersey,.....	83	4,150
Henry Denison, Connecticut,.....	100	5,000
Mary Hazard, unknown,	35	1,750
Rebecca Cole, do.	35	1,750
Charlotte C. Ebbetts, New-Orleans,.....	20	1,000
Sanders Frith, Bermuda,.....	31	1,550
Ebenezer Francis, trustee, Boston,	70	3,500
E. D. Griffin. do	28	1,400
Wm. Greene, Greene co.....	261	13,050
Gardner Greene, Boston,	600	30,000
Ann Grant, unknown,	13	650
Elizabeth L. Gilchrist, Philadelphia,.....	54	2,700
Matthew Heslop, unknown,	25	1,250
Sarah Heyliger, St. Croix,.....	20	1,000
Mrs. Ruth Hart, Connecticut,	20	1,000
Mrs. Abigail Hubbard, do	20	1,000
Elijah Hubbard, do	50	2,500
John Harsburgh, England,	105	5,250
Sarah Halsted, New-Jersey,.....	1	50
Carried forward,....		

Stockholders' names and residence.	Shares.	Amount
Brought forward,....		
Z. Huntington, Connecticut,.....	32	\$1,600
F. A. Huntington, unknown,	10	500
Mary N. Hanford, do	8	400
Samuel Hart, Connecticut,	60	3,000
Isaac Iselin, Europe,	10	500
Moses Inglee, Jr. unknown,	8	400
Sam'l R. Johnson, do	13	650
Mary Jackson, Canandaigua,	10	500
Margaret Keith, Bermuda,	27	1,350
Moss Kent, Albany,.....	30	1,500
William Kerr, unknown,.....	8	400
Sarah W. Kinsey, Long Island,	70	3,500
Luther Loomis, Connecticut,	44	2,200
Eliphalet Lockwood, do	34	1,700
E. A. Leffingwell, do	1	50
Buckingham Lockwood, do	34	1,700
William Lockwood, do	34	1,700
Mrs. Eliza Livingston, unknown,.....	16	800
Sally Lawson, do	10	500
Wm. C. Leffingwell, Connecticut,	32	1,600
Moses Long, guardian, Vermont,.....	40	2,000
Isaac Leferts, Kings co.....	16	800
Robert Lavielle, New-Jersey,.....	40	2,000
Robert Morris, do	24	1,200
John Marshall, unknown,.....	24	1,200
Alexander M'Donald, Orange co.....	10	500
Margaret Mason, Rhode Island,.....	140	7,000
Thomas M'Kie, unknown,	10	500
Polly Miller, Nova Scotia,	13	650
Phebe M'Whorter, New-Jersey,	37	1,850
Adriana V. B. M'Whorter, do.	12	600
Nehemiah Merritt, Nova Scotia,	200	10,000
Joseph S. Mott, unknown,	20	1,000
James Morris, Connecticut,.....	10	500
Henry Martin, unknown,.....	8	400
Allen Miner, Connecticut,.....	125	6,250
James Mather, do	25	1,250
J. W. Mouritzen, St. Croix,.....	212	10,600
Daniel Nash, Connecticut,	21	1,050
Daniel Nash, Jr. do	31	1,550
Susan W. Neimceiviez, New-Jersey,	15	750
Thomas Nugent, unknown,.....	200	10,000
Dennis Nash, Connecticut,....	19	950
George Nash, do.	17	850
Daniel Nash and others, in trust,do	25	1,250
Samuel Owner, Philadelphia,	22	1,100
J. J. Outerbridge, Bermuda,.....	5	250
Joseph Otis, Connecticut,.....	2	100
Carried forward,....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,....		
Walter Perry, Connecticut,.....	450	\$21,500
Henry Pope, Long Island,.....	100	5,000
Lewis Pintard, New-Jersey,.....	10	500
John R. Poinsett, unknown,.....	18	900
Sally Pierce, Connecticut,.....	14	700
Mary Pierce, do	11	550
J. Peace, Philadelphia,.....	35	1,750
Francis Perry, Connecticut,.....	76	3,800
Henry Perry, do	76	3,800
Hetty Perry, do	75	3,750
Z. C. Palmer, unknown,.....	10	500
Ann Peers, do	10	500
Charlotte Perkins, Tompkins co.....	10	500
H. Pratt, unknown,.....	27	1,350
Jacob Rhinelander, New-Jersey,.....	200	10,000
Mary Richards, Connecticut,.....	10	500
Sarah Rogers, unknown,.....	40	2,000
Felix Roumaine, West Indies,.....	55	2,750
Wm. Robinson, Connecticut,.....	120	6,000
Rev. Thomas Smith, unknown,.....	10	500
Selah Strong, Long Island,.....	210	10,500
Nathan Sanford, Albany,.....	100	5,000
Jona. Sturges, Connecticut,.....	25	1,250
Egbert F. Smith, Rhode Island,.....	4	200
L. D. V. Schweinez, Pennsylvania,.....	80	4,000
Charles J. Smith, unknown,.....	5	250
Ryneer Suydam, Long Island,.....	20	1,000
Tunis Smith, Rockland co	7	350
Elisha Sands, unknown,.....	21	1,050
Peter Striker, in trust, do.	4	200
William Scott, do	50	2,500
Geo. Stephenson, unknown,.....	20	1,000
Daniel Sterling, Connecticut,.....	32	1,600
Uriah Tracy, do	10	500
Mrs. Charlotte Tucker, Bermuda,.....	241	12,050
John Tredwell, Long Island,.....	30	1,500
Walter Thorp, Jr. Connecticut,.....	20	1,000
Seth Tayler, guardian, do.	8	400
Clarina Underhill, unknown,	40	2,000
Pierre Van Cortlandt, Dutchess co.....	21	1,000
John Van De Veer, Kinga co.	15	750
Gershom Williams, unknown,.....	15	750
Elizabeth Williams, do	4	200
Thomas Whytlaw, do	9	450
Ann Whytlaw, do	35	1,750
Esther Wakeman, Connecticut,.....	12	600
James H. Woodhull, Long Island,.....	106	5,300
Nicholas Williamson, unknown,.....	24	1,200
Carried forward,....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,....		
Gerrit Williamson, Rockland co.	90	\$1,000
Joanna B. Williamson, Chenango co.	63	3,150
William Williams, unknown,.....	4	200
Jessup Wakeman, Connecticut,.....	40	2,000
Thomas Wright and others, in trust, Greene county,	18	900
Jessup B. Wakeman, Connecticut,	5	250
Thomas Wright, Claverack,	80	4,000
Caroline M. Yates, unknown,.....	24	1,200
	<hr/>	<hr/>
	8,481	\$424,050
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Abstract from the list of stockholders, rendered by the *Merchants' Bank* to the Comptroller's office, for the year 1827. The stock of this institution is \$1,490,000, and a share of the stock is \$50. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz :

Stockholders' names and residence.	Shares.	Amount.
Elizabeth Annin, Dutchess co.	5	250
Alicia Maria Armstrong, England,.....	58	2,900
Etna Insurance Company, Connecticut,...	30	1,500
Edward Armstrong, Orange co.	35	1,750
James Bloodgood, Queens co.	25	1,250
Andrew Bell, New-Jersey,.....	33	1,650
Joel Bridge, England,.....	50	2,500
Maria Bunyan, Westchester co.	70	3,500
Martha and Phebe Burling, Putnam co....	52	2,600
Joseph Battell, Connecticut,.....	60	3,000
Jacob Berry, Kings,.....	10	500
Frederick Bradley, Troy,	32	1,600
F. C. Bassett, Connecticut,	68	3,400
Isaac E. Beach. do	20	1,000
James E. Beach, do	114	5,700
Love Baker, New-Jersey,.....	300	15,000
Henry Burbeck, Connecticut,.....	120	6,000
Nathan Bowditch, Massachusetts,	200	10,000
Ann Maria Connelly, Ireland,	30	1,500
Josiah Collins, Jr. North Carolina,.....	2,500	125,000
H. & T. Coles, Queens co.	5	250
A. Codman, Massachusetts,	15	750
Nicholas J. Clary, France, (Paris).....	61	3,050
Gad Cowles, Connecticut,.....	24	1,200
Martin Cowles, do.	32	1,600
Lynde Catlin, New-Jersey,.....	110	5,500
William Chetwood, New-Jersey,.....	20	1,000
Jane Creighton, unknown,	16	800
D. L. Coit and others, Connecticut,	62	3,100
	<hr/>	<hr/>
Carried forward,....		

<i>Subscribers' names and residence.</i>	<i>Shares.</i>	<i>Amount.</i>
Brought forward,....		
Jose Z. Call, Manilla,.....	120	\$6,000
J. & A. Cowles, Connecticut,.....	100	5,800
Ann Dalrymple, unknown,.....	48	2,400
Lloyd S. Danbery, Westchester co.	68	3,400
J. P. Delancey, do	30	1,500
Elizabeth De Wint, Dutchess co.	38	1,900
Mary Ann Dudley, unknown,.....	10	500
T. Deming, Connecticut,.....	500	25,000
Dorothy Deming, Jr. do	105	5,250
John D. P. Douw, Albany,	40	2,000
William Deming, Connecticut,.....	182	9,100
Mary Deming, do	55	2,750
E. Doolittle, Kings co.	50	2,500
Elizabeth Daggett, Connecticut,.....	42	2,100
Charles Deming, do	42	2,100
Catharine L. Duane, Schenectady co.	22	1,100
L. A. Eigenbradt, Queens co.	10	500
Lewis Frangries, unknown,	43	2,150
Sarah Fanning, Connecticut,.....	10	500
Geo. Farrington, Queens co.	40	2,000
Jno. Fisher, Kings co.	36	1,800
E. Francis, trustee, Massachusetts,	85	4,250
F. R. Gardiner, Suffolk co.	9	450
Ruth Gibbs, Massachusetts,.....	90	4,500
Tho's B. Goelet, Dutchess co.	20	1,000
William Hewlet, Queens co.	15	750
Elijah Hubbard, Connecticut	100	5,000
Sam'l D. Hubbard, do	17	850
Emeline Hawley, do	14	700
Richard W. Hart, Connecticut,	60	3,000
Abigail Hubbard, do	29	1,455
Jos. Huntington, do	101	5,050
Col. James House, U. S. army,	64	3,200
John Jackson, unknown,	1	50
Ann Jay, Westchester county,.....	5	250
Jas. C. Johnson, North Carolina,.....	180	9,000
Euphemia Johnson, Otsego county,.....	40	2,000
Henry Kingsland, New-Jersey,	184	9,200
Thomas Lathrop, Connecticut,.....	1	50
Erastus Lyman, do	29	1,450
Mary Lynn, unknown,	14	700
Joseph Logan, Martinique,.....	110	5,500
Wm. Lockwood, Connecticut,.....	12	600
Buckingham Lockwood, do	12	600
Eliph. Lockwood, do	12	600
John Reed Lauffer, Spanish Main,.....	62	3,100
John L. Lefferts, Kings county,	37	1,850

Carried forward,....

Stockholders' names and residence.	Shares.	Amount.
Brought forward,..		
Sarah Mary, Arabella and Jane Lawrence, England,	183	\$9,150
Middletown Bank, Connecticut,.....	400	20,000
Samuel Miller, New-Jersey,.....	40	2,000
Alex'r McDonald, Orange county,	15	750
Richard Milne, Pennsylvania,.....	500	25,000
Isaac Mead, jr. Connecticut,.....	33	1,650
Charlotte Moore, do	1	50
Sam'l Mott, trustee, Long-Island,.....	7	350
Elizabeth Nostrand, Queens county,.....	5	250
Ormond Noble, Vermont,	34	1,700
Jas. Noble, unknown,	10	500
John Niven, Pennsylvania,.....	35	1,750
J. & D. Niven, trustees, do.....	12	600
William North and John Flack, do.....	2	100
E. Ostrander, Queens county,	12	600
Presbyterian Church, do	25	1,250
Joseph Peace, Pennsylvania,.....	201	10,050
Elias Perkins, Connecticut,.....	208	10,400
Judah Paddock, Columbia county,.....	60	3,000
John Powell, Flushing, L.I.,.....	50	2,500
Jas. Pierce, in trust, Connecticut,	9	450
do do do	9	450
Mary Pierce, do	4	200
Fanny Peck, Long-Island,	12	600
R. Primrose, North Carolina,.....	34	1,700
Hannah Porter, Massachusetts,	7	350
Neth'l Patten, Connecticut,	38	1,900
Wm. Robinson, do	35	1,750
Jacob Rhinelander, do	56	2,800
Anthony Rogers, Schenectady,	25	1,250
Fred'k Richmond, New-Jersey,.....	40	2,000
Jas. Russell, unknown,	5	250
Ann H. Roux, do	46	2,300
Helena L. Roux, do	46	2,300
Joseph Robert, New-Jersey,	12	600
Francis L. Roux, unknown,	13	1,250
Jno. Savournier, France,.....	36	1,800
F. Sutherland, Scotland,	20	1,000
St. Ann's Church, Brooklyn,	10	500
Lewis Sibourd, New-Orleans,.....	100	5,000
Eneas Smith, New-Jersey,	6	300
Thomas Smith, unknown,	10	500
Andrew Service, England,	250	12,500
Hannah P. Sleight, Sagg-Harbor, L. I....	39	1,950
Daniel Sterling, Connecticut,	23	1,150
R. H. Salter, do	10	500
J. H. Sutermeister, Ulster county,.....	25	1,250
Carried forward,..		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,..		
Isabella Stewart, Queens county,.....	45	\$2,250
David Sterling, Connecticut,	30	1,500
James Shaw, North Carolina,.....	20	1,000
Rich'd Tubman, Georgia,	148	7,400
Ulric Tobler, do	32	1,600
J. & C. Tainter, Connecticut,.....	110	5,500
Maria Thorne, Queens county,.....	15	750
Old Phoenix Insurance Company, do	50	2,500
Phebe Tyre, do	24	1,200
Jas. Tallmadge, Dutchess county,.....	60	3,000
Chas. Tainter, Connecticut,.....	30	1,500
Philip S. Van Rensselaer, estate of, Albany,	80	4,000
Stephen Van Rensselaer, do	80	4,000
Philip Verplanck, Westchester county,....	35	1,750
Geo. Woolsey, Greene county,.....	38	1,900
John Waugh, Scotland,.....	12	600
William Wallace, Kings county,.....	16	800
R. W. Walker, trustee, Connecticut,	20	1,000
Julia Wolcott, do	21	1,050
O. Woleott, do	6	300
S. W. Wolcott, do	41	2,050
David Wingood, Turk's Island,	24	1,200
Mary E. Wood, New-Jersey,.....	22	1,100
Nancy Watt, Connecticut,	20	1,000
Moses Wheeler, Massachusetts,.....	8	400
Wm. Williams, Connecticut,	40	2,000
Edward Ximenes, St. Domingo,.....	17	850
	<hr/>	<hr/>
	\$10,848	\$542,400
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Abstract from the list of stockholders, rendered by the Bank of America to the Comptroller's office, for the year 1827. The stock of this institution is \$2,049,500, and a share of the said stock is \$100.00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz:

Stockholders' names and residence.	Shares.	Amount.
Abigail Arding, unknown,	9	900
Sam'l Abbott, St. Croix,.....	160	16,000
Sarah E. Austin, unknown,.....	5	500
Mary Allen, do	20	2,000
Mary Alsop, Connecticut,.....	10	1,000
Fanny Alsop, do	21	2,100
John Alsop, do	18	1,800
Sarah H. Armstrong, unknown,	20	2,000
Giles Buckingham, Connecticut,.....	50	5,000
Fanny Brown, unknown,	4	400
	<hr/>	<hr/>

Carried forward,..

Stockholders' names and residence.

	Shares.	Amount.
Brought forward,.....	.	
L. Brooks, Connecticut,	4	\$400
Henry Bickley, Philadelphia,.....	20	2,000
George Brown, unknown,.....	35	3,500
Susan Brown, do	14	1,400
Joseph Burr, do	10	1,000
Anna Barclay, do	10	1,000
Amelia Boisanbin, do	10	1,000
Jonathan Burr, Rensselaer county,	40	4,000
T. C. Bassett, unknown,.....	17	1,700
Casper Bergen, do	9	900
Wm. Baley, do	4	400
Mary Burling, do	25	2,500
Priscilla Baker, Philadelphia,.....	130	13,000
J. J. Barnard, cash'r, New-Haven,.....	60	6,000
Sarah Barker, Philadelphia,.....	10	1,000
H. H. Barker, do	10	1,000
Joannes Broes, &c. trustee, Europe,	40	4,000
Ann M. Barker, Philadelphia,.....	10	1,000
Abel Beers, unknown,	5	500
Jesse Breed, Connecticut,.....	20	2,000
Stephen D. Beekman, unknown,.....	10	1,000
J. B. I. Bielle, do	6	600
Sarah Bridgement, do	3	300
Eliza Beekman, do	4	400
Rebecca Bush, Westchester county,	32	3,200
Jas. W. T. Bayle, Bermuda,.....	10	1,000
Benj. Bennet, unknown,	5	500
Abner Beers, do	10	1,000
S. D. Beekman, in trust, do	118	11,800
Margaret Byard, do	7	700
Barent Bleeker and others, Albany,	27	2,700
Janet Bayliss, unknown,.....	20	2,000
David Brooks, &c. in trust, Connecticut, ..	10	1,000
Benj. Brooks, unknown,	40	4,000
Silas Burton, do	10	1,000
J. L. Buswell, Connecticut,	10	1,000
Asa Bacon, do	23	2,300
Bank of N. America, Philadelphia,	35	3,500
Charles Bennett, unknown,.....	10	1,000
Joseph Cortina, do	38	3,800
Levi Curtis, Connecticut,	10	1,000
Abby Coit, do	10	1,000
D. T. Coit and others, do	15	1,500
Enos Collins, Halifax. N. S.	400	40,000
T. & R. M. Conklin, unknown,	8	800
A. C. Cazenove, Alexandria, D. C.	29	2,900
Rebecca Coit, Connecticut,	8	800

Carried forward,..

[No. 277.]

Stockholders' names and residence.	Shares.	Amount.
Brought forward,...		
M. S. A. V. Chauviteau, Europe,	87	\$8,700
Susan Covenhoven, Kings co.,	15	1,500
Abby Coit, Connecticut,	6	600
Geo. Crawford, St. Croix,	60	6,000
Thomas Cotterill, England,	130	13,000
Anny Chapman, unknown,	11	1,100
Daniel Coek, do	20	2,000
Sally L. Coit, Connecticut,	9	900
Daniel T. Coit, do	12	1,200
Rachel Clark, New-Jersey,	10	1,000
Peter Campbell, unknown,	8	800
Mary Clark, do	3	300
Juan J. Chauviteau, do	39	3,900
Ruth G. Channing, do	25	2,500
Nancy Collins, do	2	200
Jas. Drake, do	310	31,000
R. & H. De Vos Von Steenwyck, do.....	4	400
Carel De Vos Von Steenwyck, do.....	16	1,600
Lloyd S. Danberry, Westchester co.,	60	6,000
Leeville Du Berceau, New-Jersey,	130	13,800
Henry Davis, out of the state,	6	600
Nicholas De Camps, unknown,.....	20	2,000
Newbury Davenport, do	2	200
Mary Dwight, New-Haven,	48	4,800
Peter Du Crocq and others, unknown,	2	200
Julius Deming, Connecticut,.....	85	8,500
Frederick Deming, . do	64	6,400
Timothy Dwight, do	38	3,800
Dorothy Deming, do	14	1,400
Alanson Douglas, Troy,	150	15,000
Jas. Danglade & Carlos Benedite, Carthage,	130	13,000
Charlotte Daird, unknown,.....	10	1,000
John Davenport, do	4	400
Sarah De Haan, unknown,.....	55	5,500
Henry Dennison, do	50	5,000
Sam'l. Emben and other in trust, N. Jersey,	34	3,400
do do do	34	3,400
Elizabeth Eldridge, unknown,.....	1	100
Henry V. Erickson, do	19	1,900
Don Santiago Elizalde, do	31	3,100
Mary Elton, do	7	700
Walter Edwards, do	2	200
John Fisher, Kings co.,.....	175	17,500
Peter Fort, unknown,	115	11,500
Wm. W. Forman, do	10	1,000
Jarvis Frost, do	60	6,000
John Feely, do	5	500
Carried forward,....		

Stockholders' name and residence.	Shares.	Amount.
Brought forward,.....		
Mary Fur, unknown	3	\$300
Chas. Foucard, do	117	11,700
Daniel W. Frost, do	50	5,000
Asa Fitch, Connecticut,.....	10	1,000
Catharine Fisher, unknown,.....	5	500
Jacob Fock and others, in trust, unknown,	155	15,500
Mary Fitch, Connecticut,	19	1,900
E. Francis, trustee, Boston,	50	5,000
E. D. Griffin, unknown,.....	14	1,400
Gardiner Greene, Boston,.....	150	15,000
John L. Gardiner, Suffolk co.,.....	32	3,200
Elinor Griffith, unknown,.....	10	1,000
William Greene, do	28	2,800
Gosmo Gordon, do	9	900
Olaves P. Gram, do	50	5,000
Elizabeth L. Gilchrist, do	21	2,100
Margaret Gilchrist, do	5	500
Elizabeth B. Greene, do	19	1,900
Sarah Gibbs, do	57	5,700
William Galt, Virginia,.....	60	6,000
George Gray, unknown,	40	4,000
E. Hubbard, Connecticut,.....	50	5,000
M. Hough, Buzarah, Conn.,.....	5	500
Wm. Hewlett, unknown,.....	4	400
Catharine Hicks, do	1	100
Charlotte Hubbell, do	8	800
Capt. J. Hull, U. S. Navy,.....	50	5,000
C. P. Huntington, Connecticut,.....	124	12,400
John Havey, unknown,.....	7	700
Alex. Henry, Philadelphia,	10	1,000
Lucy Hubbard, unknown,.....	10	1,000
Sally B. Haviland, do	20	2,000
John A. Haring, do	10	1,000
Elisha Hart, Connecticut,.....	40	4,000
Roger Huntington, do	1	100
Joseph Huntington, do	115	11,500
Thomas Hewitt, unknown,.....	160	16,000
David Hedges, Jr., do	4	400
Felix A. Huntington, do	15	1,500
Asahel Hathaway, Jr. do	85	8,500
Moses Hillard, Connecticut,	6	600
George Hewlett, Long-Island,	9	900
John Horseburgh, England,.....	400	40,000
Edward Jessup, Connecticut,	70	7,000
James J. Ivers, unknown,	4	400
Isaac Iselin, Europe,.....	10	1,000
John L. Ireland, unknown,.....	21	2,100
Saml. W. Johnson, Connecticut,.....	60	6,000
Carried forward,....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Dorothy Ivers, unknown,	10	\$1,000
Andrew Indewick, do	10	1,000
Daniel Judson, Connecticut,.....	25	2,500
John Jay, Westchester co.,.....	65	6,500
Euphemiea Johnson, unknown,	28	2,800
William Inglis, do	21	2,100
Mary L. Jones, do	27	2,700
Walter Jones, Long Island,.....	5	500
Phebe W. Jones, unknown,.....	5	500
Saml. R. Johnson, do	13	1,300
Mary Jones, do	5	500
Mary Johnson, do	3	300
Sally Jewett, do	2	200
Patty Jewett, do	2	200
John L. Kane, do	20	2,000
Emily Kearny, do	8	800
Ruth Leffingwell, do	13	1,300
John Lathrop, do	11	1,100
P. B. Lathrop, Connecticut,.....	1	100
Lydia H. Lathrop, do	1	100
N. T. Luzac, unknown,	16	1,600
Mary C. L'Hommedieu, unknown,	10	1,000
Carroll Livingston, do	47	4,700
Peter Lamos, do	56	5,600
Eliphalet Lockwood, do	13	1,300
Buckingham Lockwood, do	12	1,200
Rev. Philip Lindsley, New-Jersey,.....	30	3,000
Mary Lyon, unknown,	16	1,600
Charles Langlois, do	5	500
Isaac Lefferts, Long-Island,	21	2,100
J. Lawton & Tho. Knight, in trust, unknown	3	300
Honore I. Secour, do	20	2,000
Francis Ludlow, do	3	300
Ann Lavertse, Albany,.....	55	5,500
John P. Lynch, unknown,	10	1,000
Corns. J. Luzac, Leyden, Holland,.....	16	1,600
Robert Laville, New-Jersey,	50	5,000
John Lowry, unknown,	12	1,200
Susanna Lord, do	50	5,000
Elias Lynch, do	15	1,500
Isaac Mead, Jr. do	8	800
Lewis Morris, Westchester co.,.....	56	5,600
Samuel Miller, unknown,	41	4,100
Rev. A. Mitchell, Connecticut,	27	2,700
Peter Martin, unknown,	8	800
Jon. Middlebrook, do	10	1,000
Nehemiah Merrit, New-Brunswick,	211	21,100
Mary Megrath, unknown,	2	200
Carried forward,.....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,....		
George P. Mabie, unknown,.....	3	\$300
David Magnin, do	7	700
Mary Maghee, do	1	100
Jesse Merritt, do	6	600
Bastien Mastey, do	93	9,300
Sam. Mather, Conn.,.....	125	12,500
Elijah Mead, unknown,.....	7	700
Peter Montengre, West-Indies,	10	1,000
Jared Mansfeld, West-Point,.....	41	4,100
Norwich Fire Ins. Co. Conn.,	25	2,500
Caleb Newbold, New-Jersey,.....	40	4,000
Susan Newbold, do	15	1,500
Daniel Nash, Connecticut,	2	200
N. H. Insurance Com'y. do	23	2,300
Daniel & Darius Nash, do	8	800
Geo. Nash and others, in trust, do	2	200
Elias Perkins, do	100	10,000
Jerusha Perit, unknown,	28	2,800
Princeton College, New-Jersey,.....	10	1,000
Joseph Peace, do	60	6,000
Henry Pope, unknown,.....	30	3,000
A. Polhemus, Jr. do	8	800
Lydia Peck, do	10	1,000
Charlotte Pratt, in trust, do	10	1,000
Edward Priestly, do	10	1,000
John Powell, Queens co.,	23	2,300
Alice Prout, unknown,	7	700
Thos. Powell, Queens co.,	20	2,000
Ann T. Pintard, unknown,	9	900
William Philip, do	5	500
Julia Post, do	50	5,000
Marina Pritchard, do	10	1,000
Walter Perry, do	130	13,000
Jas. Porter, Register, Albany,	54	5,400
Eleanor Pettit, unknown,.....	4	400
Thomas Prosser, do	5	500
Peter Queysen, Europe,	2	200
Wm. Rotch, Jr. Massachusetts,	30	3,000
Daniel Robertson, St. Croix,	20	2,000
Wm. Robinson, Connecticut,	20	2,000
Diana Rapelye, Kings co.,	8	800
Peter Robinson, unknown,	16	1,600
E. H. Robinson, do	2	200
Ann Richards, do	1	100
Cath. Roberts, do	2	200
John Robertson, do	30	3,000
S. P. C. W. B. De Rochebrand, do	50	5,000
M. Repos, do	11	1,100
Carried forward,.....		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Alex. Rose, unknown,	12	\$1,200
Richards & St. John, do	20	2,000
P. T. Rochfernoy, do	23	2,300
John Roberts, do	5	500
O. C. Rossmusson, St. Croix,.....	16	1,600
Ripley's & Waldo, unknown,.....	44	4,400
Sally St. John, do	11	1,100
Mary Sullivan, do	7	700
A. Staniske, do	6	600
Ann Shepherd, do	10	1,000
Nathan Sanford, Albany,.....	50	5,000
Jaques Stilwell, unknown,	5	500
Benj. Smith, New-Jersey,	13	1,300
Catharine Sanderson, unknown,.....	13	1,300
Wm. St. John, do	10	1,000
Sam'l. Sackett, executor, do	22	2,200
Ralph Stoddard, do	10	1,000
Rev. J. Schuneman, New-Jersey,	15	1,500
David Sterling, unknown,.....	30	3,000
Jerem. Sturges, do	40	4,000
Sam'l. Swan, Massachusetts,.....	20	2,000
Jno. W. Sterling, unknown,	10	1,000
M. E. St. John, Connecticut,	10	1,000
N. Shipman, do	16	1,600
C. Solomons, Albany,.....	5	500
Isabella Stewart, Long-Island,.....	67	6,700
Christ'n. Seward, unknown,.....	18	1,800
Henry Strong, do	26	2,600
Rev. Jos. Sanford, Brooklyn,.....	15	1,500
Dan'l. Salter, unknown,	5	500
Mary T. Smith, do	34	3,400
John Sharpe, do	3	300
Elias Smith, do	13	1,300
Andrew H. Smith, do	6	600
Hannah Swan, Massachusetts,	54	5,400
Dan'l. Swan, do	11	1,100
N. Smith, Conn.,.....	3	300
Andrew Strong, do.	20	2,000
Lewis H. St. John, unknaown,.....	1	100
Dan'l. Sterling, Conn.,.....	20	2,000
Ann C. Souverbie, unknown,.....	5	500
Maria & Ida Suydam, do	7	700
Natham Smith, do	100	10,000
Wm. Scott, do	20	2,000
Jubal Farbell, do	53	5,300
Jas. Tallmadge, Poughkeepsie,	15	1,500
G. J. Thompson, unknown,.....	12	1,200
Jas. Thompson, do	25	2,500
Carried forward,..		

Stockholders' names and residence.	Shares.	Amount.
Brought forward,..		
Clinton Academy, Suffolk co.,.....	4	\$400
Uriah Tracy Connecticut,.....	50	5,000
John Turner, do	10	1,000
Elisha Tracy, do	90	9,000
Sarah Tracy, do	3	300
J. H. & N. Townsend, unknown,	20	2,000
James Tompkins, do	15	1,500
Lucy C. Tracy, Conn.,.....	13	1,300
Elizabeth Tracy, do	2	200
Margaret Tracy, do	2	200
Esther Tawzer, unknown,	3	300
Corn's Johnson Thummer, do	14	1,400
Margaret Toan, do	4	400
Jas. Tallmadge, guardian, Dutchesse co.,	60	6,000
J. J. Thebaud, unknown,	16	1,600
Edward Thebaud, do	16	1,600
Chas. B. Tallmadge, do	15	1,500
Frances Mary Upton, do	3	300
Madam A. L. C. Van Pallandt, unknown,..	43	4,300
Madam S. D. Van Leyden, do ..	18	1,800
G. J. A. A. Van Pallandt, do ..	18	1,800
Ann Van Vorst, New-Jersey,.....	50	5,000
Martha Valentine, Westchester,.....	6	600
Philip Ver Planck, do	69	6,900
Henry Jos. Vatable, New-Jersey,	18	1,800
Adrian Van Sinderen, Kings co.,	35	3,500
Sam'l. Vernon, unknown,	35	3,500
Visscher, Denniston & Shepherd, trustees,		
Albany co.,.....	54	5,400
Constantia W. Vrythoff, unknown,.....	8	800
Van Wyck Wicks, do	5	500
Wm. Wallace, Brooklyn,	10	1,000
Mary Williams, unknown,	15	1,500
Rosanna Winter, do	24	2,400
Nancy Wait, in trust, Connecticut,.....	5	500
Bulah Whittlesey, do	2	200
George Woolsey, unknown,.....	9	900
John Wickham, Virginia,	150	15,000
Nancy Wait, Connecticut,	16	1,600
Thos. Wright, Columbia co.,	20	2,000
Hendrick Winkleman, unknown,.....	2	200
William Williams, do	10	1,000
E. J. Wilcoxson, do	10	1,000
10,243	\$1,024,300	

Abstract from the list of stockholders, of the *Delaware and Hudson Canal Company*, rendered to the Comptroller's office, for the year 1827. The stock of this institution is \$1,500,000, and a share of the stock is \$100.00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz:

Stockholders' names and residence.	Shares.	Amount.
Elijah Alleger, Ulster co.....	10	\$1,000
John Brandegue, New-London,.....	50	5,000
Carlo Benedite, Carthagena,.....	35	3,500
John Borland, unknown,.....	5	500
J. S. Bruyn, Ulster co.....	21	2,100
Jacob Burhans, do	10	1,000
John Benson, do	3	300
John Broadhead, Jr. do	6	600
Jesse Buel, Albany,.....	5	500
B. Carpenter, Queens co.	20	2,000
Seth Couch, Ulster co.....	6	600
Jacobus Cole, do	8	800
G. Cooper and Son, do	5	500
E. C. Delavan, Albany,	100	10,000
Isaac B. Davis, Ulster co.....	1	100
Isaac H. Davis. do	1	100
Gerrit Delamater, do	1	100
H. W. Denton, Orange co.....	10	1,000
M. W. Day, unknown,	15	1,500
Levi Elmaker, Philadelphia,.....	268	26,800
Jacob Enderly, Ulster co.....	2	200
Ed. Elmendorf, do	10	1,000
Martha Grier; unknown,.....	3	300
Elsie Hasbrouck, Kingston, Ulster co.	4	400
Hilman and Hawley, do	17	1,700
Cha's Louis Hasbrouck, do	3	300
Hume and Dubois, do	5	500
Wm. Hixson, do	2	200
J. L. Hasbrouck, do	1	100
David A. Hasbrouck, do	5	500
G. D. Hasbrouck, do	1	100
Jona. Hasbrouck, do	19	1,900
Jos. Hasbrouck, Jr. do	6	600
Cornelius Lefever, Ulster co.....	2	200
Effingham Lawrence, Long Island,.....	20	2,000
R. C. Moore, Virginia,	20	2,000
Jno. Marten, unknown,.....	2	200
Henry Myer, do	4	400
Robert Minturn, do	17	1,700
J. H. Newcomb, do	22	2,200
Mary D. Newcomb, do	4	400
C. H. Newcomb, do	4	400
Walter Nichols, Kings co.....	10	1,000

Carried forward,..

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Edward O'Neil, Ulster co:	5	\$500
Dan'l Oakley, do	1	100
J. D. Ostrander, do	3	300
H. B. Pierpont, Kings co.....	4	400
Jno. Pierpont, do	25	2,500
David Plant, unknown,.....	5	500
Norman Peck, do.	10	1,000
James Pine, Sullivan co.....	10	1,000
Henry Pratt, unknown,.....	25	2,500
Ruggles and Hasbrouck, Ulster co.	13	1,300
Ab'm Robison, unknown,	13	1,300
P. Sanford, Newark, N. J.....	50	5,000
H. H. Schoonmaker, unknown,.....	4	400
Alex. Story, do	10	1,000
John Sudam, Ulster co.....	17	1,700
John Tack, do.	1	100
Peter Striker, trustee, Queens,	20	2,000
Henry Thorp, Kingston,.....	19	1,900
Thomas Sadler, unknown,.....	98	9,800
Isabella Stewart, Long Island,.....	60	6,000
Benj. Tredwell, do	25	2,500
Phineas Terney, Orange co.....	5	500
Esther Tompkins, unknown,.....	8	800
Joseph White, Philadelphia.....	8	800
Geo. D. Wickham, Orange co.....	26	2,600
Maurice Wurts, Philadelphia,.....	378	37,800
A. Hasbrouck, Ulster co.	30	3,000
	1,636	\$163,600

Abstract from the list of stockholders, rendered by the *City Bank* of New-York, to the Comptroller's office, for the year 1827. The stock of this institution is \$1,250,000. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz :

Stockholders' names and residence.	Amount.
Josiah B. Andrews, unknown,.....	\$1,200
Jemima Asbridge, do	900
Hannah Aston, do	250
Henrietta Banks, do	400
Elizabeth Barton, do	2,000
Nancy Bradford, do	350
D. D. Blauvelt, do	1,050
William Bayley, do	150
Pierre Lewis Barrau, do	3,500
Ja's J. Blauvelt, Rockland co.	2,500

Carried forward,.....

[No. 277.]

Stockholders' names and residence.	Brought forward,.....	Amount.
Jno. J. Blauvelt, Rockland co.....	\$1,000	
A. G. Blauvelt, do	300	
Margaret Bayard, unknown,.....	750	
Jno. J. Bennet, do	250	
Andrew Bell, New-Jersey,.....	3,000	
E. N. Bedell, unknown,.....	250	
Mary Benson, do	3,000	
Wm. Bennett, do	700	
Ann Bingley, do	500	
Wm. C. Brinkerhoof, do	2,000	
Jno. Bonker, do	500	
James Bloodgood, Queens co.	3,250	
Sarah Browne, unknown,.....	900	
Ab'm Burtis, do	500	
Jonathan Burr, Albany,.....	3,500	
A. H. Burrows, unknown,.....	1,000	
Joseph Burr, Vermont,.....	4,000	
Tho's G. Byrd, unknown,.....	800	
Eliz. Bagley, do	200	
Alex. Cairnes, do	1,000	
Peter Carmant, do	500	
Cathr. Clark, do	500	
J. J. Chauviteau, France,.....	18,450	
M.S. & A. Chauviteau, do	7,500	
Esther M. Chester, unknown,.....	3,000	
C. Crozet do	800	
Walter Cornell, do	1,100	
Peter Cook, do	850	
Ann Dalrymple, do	1,000	
L. Davenport, in trust, do	100	
E. De Forest, Connecticut,.....	1,500	
Elizabeth Delano, unknown,.....	600	
Ann Delancey, do	1,700	
Mary Decourse, do	2,250	
Henry De Mott, New-Jersey,.....	1,600	
John Dixey, unknown,.....	2,000	
Alanson Douglas, Troy	5,000	
Catharine L. Duane, Schenectady, co.	1,400	
Timothy Dunn, unknown,.....	500	
Benj. Elsden, do	250	
Lydia Edwards, do	200	
Mary Fairchild, do	550	
Wm. H. Forman, New-Jersey,.....	1,250	
Sam'l Forbes, unknown,.....	1,450	
John Fisher, Long Island,.....	11,300	
Peter Fort, unknown,.....	2,500	
D. W. & J. Frost, do	6,650	
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Carried forward,.....		

Stockholders' names and residence.	Brought forward,.....	Amount.
Wm. Green, unknown,.....	\$1,200	
Eliza Gird, do	2,000	
Oliver Gridley, do	1,000	
Jno. Grice, do	200	
Geo. Gibbs, jr., do	1,250	
Moses Hart, Canada,	5,150	
Elizabeth Hagner, unknown,.....	900	
Mary Haslett, do	50	
H. Harrington, do	3,750	
Harriet N. Hay, England,	3,000	
Geo. Haley, unknown,.....	300	
Alex. Henderson, do	200	
Alice Henderson, do	1,050	
Francis Hernandez, do	2,900	
Meny Hearn, do	650	
Wm. Hewlett, Long-Island,.....	1,500	
Benj'n Hicks, do	1,500	
Horace Hinsdale, do	400	
S. Howell, do	15,700	
C. P. Huntington, Connecticut,.....	900	
Samuel Jarvis, unknown,.....	250	
Robert Johnson, do	1,500	
Daniel Judson, Connecticut,	1,500	
Peter Lumos, unknown,.....	1,500	
John Lathrop, do	4,950	
Effingham Lawrence, Long-Island,	1,000	
John Lenie, unknown,.....	350	
Josiah LeCount, do	150	
Isaac Lefferts, do	1,000	
E. W. & B. Lockwood, Connecticut,.....	2,550	
H. S. Lott, unknown,.....	750	
Sarah Lake, do	800	
Jas. M'Cready, do	3,500	
A. & B. M'Gowan, do	800	
Jesse Merritt, do	400	
W. H. Meyer, do	300	
Nohehiah Merritt, St. Johns, N. B.,.....	4,000	
Wm. Merrill, unknown,	1,250	
M. M. Lodge, do	350	
W. Ann Morgan, do	200	
Andrew Murray, do	100	
Estate of D. Nash, Connecticut,	200	
Darius, Dennis & Geo. Nash, do	2,200	
do for S. Taylor, do	300	
A. Nichols, unknown,.....	650	
John Nicoll, Connecticut,.....	3,800	
Maria Nieves, unknown,.....	500	
Mary C. Oliver, do	1,150	
Carried forward,....		

Stockholders' names and residence.		Amount.
	Brought forward,.....	
Jedediah Olcott, unknown,.....		\$1,050
David Plant, Connecticut,.....		700
James Perry, unknown,		8,250
Phebe Pearson, do		250
Josiah Penfield, do		10,000
Walter Perry, Connecticut,		6,000
Wm. Primrose, unknown,		300
Sarah Pierce, do		300
Mary Pierce, do		300
A. Polehmus & Son, do		4,250
Margaret Powers, do		900
John Powell, do		1,500
A. Quackenbush, do		1,300
M. A. Ramie, do		1,000
Elizabeth Rapley, do		600
M. C. Rappe, do		300
Matthew Repos, do		1,250
D. C. Richards, do		2,300
Mary Riker, do		600
David Rogers, Long-Island,		1,000
Nathan Rogers, unknown,		1,800
J. R. B. Rodgers, do		5,750
Elizabeth Robertson, do		750
Alexr. Ross, do		500
Eliz'h Rushmore, do		250
Nathan Sanford, Albany,		5,000
A. O. Stansbury, unknown,		800
Thos. C. Smart, Dutchess co.....		13,950
L. H. St. John, guardian, unknown,		250
John Snediker, do		850
Isaac Snediker, do		950
Wm. Steele, do		1,000
Robert Steele, do		5,000
Robert Service, jr., England,.....		4,500
Edward Seabury, unknown,		500
Dan'l Sterling, do		400
Sarah Seavers, do		100
Jno. W. Sterling, Connecticut,		500
Andrew Service, England,.....		6,450
David Sterling, unknown,		2,000
Allanson Seaman, Long-Island,		1,200
Isabella Stewart, do		3,000
Wm. H. Smith, guardian, unknown.....		550
Elizabeth Swift, do		150
Benj. Smith, New-Jersey,		800
Peter Smith, unknown,		1,600
Jas. C. Smith & others, do		450
Walter Scott, do		2,000

Carried forward,.....

Stockholders' names and residence.

Amount.

	Brought forward,.....	
John Sloat, unknown,.....	\$400	
Tredwell Scudder, Long-Island,.....	2,000	
Mary Sutphen, unknown,	800	
Benjamin Tayler, do	1,000	
Francis Tatteen, Bermuda,	650	
Elisha Tracy, Connecticut,.....	9,000	
Rachel Titus, unknown,	100	
Sarah Townsend, do	400	
Samuel Trumbull, do	1,200	
Hannah Turner, do	200	
Andrew Turnbull, do	500	
Seth H. Tuthill, do	800	
S. C. Underhill, do	400	
Mary Underhill, Long-Island,	2,700	
R. & T. B. Van Brunt, unknown,.....	5,000	
Stephen Van Rensselaer, Albany,.....	700	
Nichs. Van Dyck, Brooklyn,	1,600	
A. N. Van Brunt, unknown,	2,000	
G. B. Vroom, do	1,200	
C. & P. D. Vroom, New-Jersey,.....	1,800	
Judith Watkins, unknown,	200	
Saml. Wait, do	500	
D. Wadsworth, Connecticut,	15,000	
J. S. Wiley, U. S. Navy,.....	2,500	
Sarah Wilson, unknown,	1,500	
Chas. Willets, do	1,150	
		<hr/>
		\$348,800
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Abstract from the list of stockholders, rendered by the *Bank of New-York*, to the Comptroller's office, for the year 1827. The stock of this institution is \$1,000,000. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz :

Stockholders' names and residence.

Amount.

Edward Armstrong, unknown,.....	2,500
Francis Atkinson, London,.....	4,000
Robert Anderson, Long-Island,	2,000
Mary Allen, unknown,.....	4,000
S. A. Aspinwall, do	1,500
Ann Aspinwall, do	1,500
G. Aspinwall, do	3,000
E. Atkinson, do	2,000
G. Y. Allaire, do	1,000
Thomas Allen, do	1,000
S. E. Austin, do	1,000
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Carried forward,.....

Stockholders' names and residence.	Brought forward,.....	Amount.
S. Bradhurst, unknown,.....		\$500
Rev. A. Beach, New-Jersey,.....		1,000
Mary Bassell, unknown,.....		1,000
Daniel Bowie, dead,.....		4,500
Hannah Bowie, unknown,.....		1,500
Ann Buckley, do		500
Jno. A. Bonnet do		1,000
A. D. Baldwin, Connecticut,.....		1,000
Ruth Broome, unknown,.....		2,000
Joel Bridge, do		5,000
Ann Bingley, do		500
Sam'l. Brown, do		2,500
Wm. Burrows, do		3,000
James Casey do		1,000
Thos. Chapman, do		4,000
John Craig, do		2,000
Jno. B. Coles, do		1,000
Chas. L. Camman, do		3,000
John Capper, England,		3,000
C. C. Clarke, unknown,.....		500
Mary Clarke, do		1,000
Ann S. Collins, do		1,000
George Douglass, do		8,000
Jno. Delamater, do		500
Jno. P. Delaney, Westchester,.....		3,500
Ann Delancy, do		3,000
Oliver Daft, unknown,.....		500
Mary Daft, do		500
John P. De Wint, Dutchess co.....		1,500
Dlizabeth De Wint, do		1,500
Newbury Davenport, Connecticut,.....		1,000
Jno. D. P. Douw, Albany,.....		6,000
Jno. Deacon, London,.....		25,000
Warren Delancey, unknown,.....		2,500
Geo. Douglass, jr. do		2,000
Sarah J. Evans, England,.....		2,500
John Eles, do		2,000
Ann Edgar, unknown,.....		2,500
George Farrington, do		1,000
Louis Faugeres. do		500
Joseph Falconer, do		2,000
Mary Ferguson & others, do		5,000
William Forster, do		500
Nath'l. Greene, do		1,000
George Gray, do		2,500
Jno. L. Gardiner, do		8,000
Thos. B. Goelet, do		5,000
David Grim, do		1,500
Carried forward,.....		_____

Stockholders' names and residence.

Amount.

	Brought forward,.....	
Jno. Gallagher, U. S. Navy,	\$1,500	
Rebecca Gales, unknown,	1,500	
Wm. M. Gibert, do	3,000	
Peter Hill, do	2,500	
John Hunter, do	14,000	
J. Hunter & others, do	1,000	
John Haster, dead,	1,500	
Thos. Harvey and R. Gorman, unknown,	2,000	
Wm. H. Helme,	500	
Isaac Heyer,	500	
J. W. Scott, New-Jersey,	1,000	
A. R. Hankey and others, London,	9,000	
Geo. A. Hegeman, unknown,	2,000	
Eleanor Jones, do	7,000	
Elizabeth Jones,	2,000	
Elbert H. Jones, Long-Island,	5,000	
Sam'l Johnston, unknown,	8,500	
Ann Johnston, do	500	
J. V. D. Jacobson, Richmond co.,	2,000	
Sam'l W. Johnson, unknown,	4,000	
Rufus King, Long-Island,	1,000	
Mary Kerr, do	1,000	
Peter Kean, New-Jersey,	1,500	
John Kohlen, unknown,	1,000	
Mary Kinsey, do	1,500	
Maria Ann Kissam, do	1,500	
Nicholas Low, do	500	
James Lenox, do	1,500	
Philip Livingston, do	3,000	
Joseph Loyac, Martinique,	2,000	
Wm. S. Leney, unknown,	5,000	
Gulian Ludlow, in-trust, do	500	
Isaac Lefferts, Long-Island,	1,000	
Susanna Lord, unknown,	5,000	
Chas. Langlois, do	2,000	
Lindley Murray, England,	3,500	
Benj. Moore, unknown,	1,000	
Ann Eloisa Moore, do	1,000	
John Moore, do	1,500	
Henry Mitchell, do	1,000	
Thomas Marston, do	2,500	
Ebenezer Machair, Virginia,	16,500	
Michael Merritt, unknown,	1,500	
Henry Mills, New-Jersey,	3,000	
H. Moffatt, unknown,	1,500	
Catharine Murray, do	1,000	
J. R. Murray & J. Wadsworth, do	1,000	
A. Meserole, unknown,	1,500	

Carried forward,....

Stockholders' names and residence.	Brought forward,.....	Amount.
A. A. Mieville, unknown.....		\$2,000
Isaac Mead, jr. do		500
Margaret Marsh, do		1,500
Jas. Moncreiff, do		500
Thomas Mesnard, do		1,000
Lemountis Noe, do		3,000
Susan U. Niemcewicz, do.....		4,500
Anthony Narroway, do.....		2,000
George Nelson, New-Jersey,		1,500
Elizabeth Nitchie, unknown,		2,500
Charlotte M. Overing, do		6,500
Henry Overing, do		17,000
Magdalen Oothout, dead,		3,000
John Parkinson, Europe,		1,000
Joseph Pitcairn, do		1,000
Frederick Phillips, unknown,.....		6,000
M. & M. Pearsall, do		2,000
George Powers, do		3,000
Adele Pardo, do		2,000
John Pool, New-London,		5,000
Mary M. Perkins, unknown,		1,500
John Patterson, do		1,000
Morris Pollock, Glasgow,		5,000
Walter Perry, Connecticut,		2,000
Robert Pearsall, unknown,		500
Jacob Rhinelander, do		7,000
J. S. Robertson, England,.....		1,000
Langford Redwood, unknown,.....		7,000
Mary Robert, do		7,000
Elizabeth Rapelyea, do		2,000
Louis Rous, in trust, do		1,500
Anthony Rutgers, New-Jersey,.....		2,500
Truman Starr, out of the state,		7,000
Simon Schermerhorn, dead,		9,000
Estate of P. Schermerhorn, unknown,.....		2,000
Marcia Shaw, do		4,000
Nath'l Smith, do		5,000
Dan'l T. Smith, Long-Island,		500
Francis T. Smit, Europe,		5,500
Walter Scott, unknown,.....		1,000
William Scott, do		8,000
C. M. Schmaltz, do		1,000
J. Savournier, do		1,000
H. P. Sleight, do		500
Magdalen Stevenson, do		2,000
Andrew Service, do		6,500
Mary Schmelzel, do		2,500
Hannah Spencer, do		3,500

Carried forward,....

Stockholders' names and residence.

Amount.

Brought forward,....	
Wm. F. Seaman, unknown,	\$1,000
George Turnbull, do	1,000
Princeton College, New-Jersey,	1,000
Trustees, &c. East-Jersey, do	1,000
Do. of a church, do	500
John Titus, dead,.....	1,000
Catharine Tom, unknown,	5,500
Chas. W. Taylor do	4,000
W. Taylor, Woodbridge, N. J.	7,500
Benj. Tibbits, unknown,	2,000
Isaac Taylor, North Carolina,	4,500
Julia Ann Thatcher, unknown,	1,000
Hubert Van Wagenen, dead,	500
John T. Vacher, do	2,000
Wynant Van Zandt, Long-Island,	11,500
Stephen Van Rensselaer, Albany,	500
Peter Van Derboe, unknown,	500
P. Van Derboe, & J. Van Loon, do	500
Jas. Van Boskirk, do	500
Daniel Van Riper, do	500
S. N. & S. Van Riper, do	500
Pierre Van Cortlandt, do	10,000
Anp Van Beuren, do	1,000
J. M. Vignardonne, do	1,000
Joshua Waddington, Westchester co.,.....	1,000
F. B. Winthrop, Connecticut,	10,500
Jan Willink, Europe,	7,500
Dudley Walsh, estate of, Albany,.....	3,000
Isabella Westervelt, unknown,.....	500
Mary Watts, do	2,500
Geo. Weltden, England,	3,000
Rosanna Winter, unknown,	5,000
Ruth Woodhull, do	2,000
Mary Williams, do	1,500
Lewis Pintard, do	2,500
Gerardus Smith, dead,.....	4,000
Wm. Winthrop, do	1,000
	<hr/>
	\$552,500

[No. 277.]

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Abstract from the list of stockholders, rendered by the *Chemical Bank*, to the Comptroller's office, for the year 1827. The stock of this institution is \$500,000, and a share of the stock is \$25 00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz :

Stockholders' names and residence.	Shares.	Amount.
Clarissa Blauvelt, Orange Town, Rock. co.	4	\$100
David I. Blauvelt, do	28	700
I. I. S. Blauvelt, do	6	150
John G. Blauvelt, do	25	625
John G. Blauvelt, jr. do	16	400
John A. Blauvelt, do	11	275
Garret I. Blauvelt, do	41	1,025
Abm. G. Blauvelt, do	9	225
James P. Blauvelt, do	6	150
Corns. I. Blauvelt, do	64	1,600
Thomas I. Chew, Brooklyn,	100	2,500
Wm. B. Coggens, West-Point,	80	2,000
Daniel Embury, Brooklyn,	200	5,000
Wm. Given, Waterford,	200	5,000
Wm. Jay, Bedford, Westchester,	20	500
Moss Kent, Albany,	45	1,125
E. M. Morgan, cashier Fairfield bank, Nor-walk, Conn.,.....	1,106	27,650
Nathaniel Patton, Hartford, Connecticut, ..	200	5,000
J. Strachan, Waterford,	100	2,500
John J. Smith, Orangetown Rockland,	22	550
James C. Smith, do	7	175
Wm. B. Shubrick, U. S. navy,	24	600
Peter Taulman, Tappan, Rockland,	80	2,000
Josiah C. Whitmore, St. Croix, W. Indies,	118	2,950
	<hr/>	<hr/>
	2,512	\$62,800
	<hr/>	<hr/>

Abstract from the list of stockholders, rendered by the *North River Bank*, to the Comptroller's office, for the year 1827. The stock of this institution is \$500,000, and a share of the stock is \$50 00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz :

Stockholders' name and residence.	Shares.	Amount.
Charles Atwater, Connecticut,.....	35	\$1,700
Corns. I. Blauvelt, Rockland co.....	29	1,450
Jos. G. Blauvelt, do	20	1,000
Garret I. Blauvelt, do	17	850
John G. Blauvelt, jr. do	17	850
Clauche Blauvelt, do	8	400
	<hr/>	<hr/>

Carried forward,..

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
John A. Boyd, New-Jersey,.....	10	\$500
Eliza Conner, Newark, do	3	150
Henry Demott, Bergen, do	10	500
Alex. Decinder, St. Croix,.....	20	1,000
David A. Demarest, New-Jersey,	20	1,000
Sarah Duyekink, Westchester,	10	500
John Drummond, St. Croix,.....	14	700
Mary Egan, do	20	1,000
Patrick Eivers, do	4	200
Sarah Ellsworth, Dutchess co.....	9	450
Terrence Fitz Patrick, St. Croix,	21	1,050
Oliver Gridley, Orange co.....	180	9,000
David Griffith, St. Croix,	13	650
Fredk. F. Hansen, do	18	900
Wm. Jay, Westchester,.....	10	500
Wm. Kerr, St. Croix,.....	30	1,500
Samuel Knight, do	40	2,000
Joseph Knight, do	25	1,250
Charles Kierupp, do	22	1,100
Richd. Knight, do	50	2,500
Hugh Laing, as attorney, do	69	3,450
James Leary, do	7	350
Luther Loper, Suffolk co.	28	1,400
Adam Logan, St. Croix,.....	11	550
Andrew Marten do	5	280
David Milne, do	16	800
Wm. Morehead, do	6	300
David Meedie, do	28	1,400
John E. Miller, Richmond co.	10	500
James C. Osborn, St. Croix,.....	3	150
C. O'Reilly do	98	4,500
James Perry, Rockland co.....	46	2,300
Edward Reilly, St. Croix,	60	3,000
Jacob Reed, New-Jersey,	26	1,300
John Reed, Scotland,	20	1,000
Catharine Rogers, New-Jersey,.....	8	400
James V. C. Romeyn, do	20	1,000
Lucia Russell, Ohio,	4	200
Elihu Sanford, New-Haven,.....	10	500
Wm. Stevenson, St. Croix,	115	5,750
John I. Smith, Rockland co.....	4	200
Peter Taulman, do	50	2,500
Philip Verplanck, Westchester,.....	20	1,000
Edward Jackson, St. Croix,.....	48	2,150
Samuel R. Demarest, New-Jersey,	40	2,000
Hugh Laing, St. Croix,	135	6,750
	<hr/> 1,536	<hr/> \$76,800 <hr/>

Abstract from the list of stockholders, rendered by the *Tradesmen's Bank*, to the Comptroller's office, for the year 1827. The stock of this institution is \$480,000, and a share of this stock is \$40 00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz :

Stockholders' names and residence.	Shares.	Amount.
Peter Barker, Westchester,.....	35	\$1,400
Constant St. John, do	30	1,200
Mary Hunt, do	10	400
Minot Mitchell, do	10	400
Thomas Timpson, do	20	800
Henry Bamman, Albany,	200	8,000
John S. Hunn, cash. Newburgh,.....	644	25,760
John W. Livingston, Onondaga,.....	150	6,000
Abraham Furman, Queens co.....	14	560
Garret Furman, do	1	40
Matthew Reed, do	62	2,480
Wm. Roe, do	4	160
Charles Roe, do	4	160
John Roe, jr., do	12	480
Samuel James, Kings co.,	1	40
Charles Atwater, Connecticut,	41	1,640
W. W. Boardman, do	20	800
Reuben Harris, do	10	400
Sally Northrop, do	7	280
Samuel Tweedy, prest., do	100	4,000
Thomas Wells, do	6	240
Lois Wells, do	3	120
Thomas Wells, do	4	160
Joseph Burnett, unknown,.....	8	320
Silas Butler, Long-Island,	1	40
Jesse Merritt & Son, do	4	160
Samuel Thorn, do	16	540
Henry Landon, do	20	800
	<hr/>	<hr/>
	1,437	\$57,480
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Abstract from the list of stockholders of the *Fulton Bank*, rendered to the Comptroller's office for the year 1827. The stock in this institution is \$750,000; and a share of the stock is \$75. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz :

Subscribers' names and residence.	Shares.	Amount.
Charles Atwater, Connecticut,.....	29	\$2,175
Sarah Austin, do	6	450
C. Bissell, secretary, do	30	2,250
<hr/>		
Carried forward,....		

Stockholders' names and residence.

	Brought forward,....	Shares.	Amount.
M. B. Bull, Kings co.	43	\$3,225	
Rodman Bowne, do.	100	7,500	
G. Buckingham, Connecticut,.....	30	1,250	
Silas Butler, Kings co.	20	1,500	
John Brown, Jamaica,	8	600	
M. Bigelow, Jr. unknown,.....	5	375	
J. Brandegu, Connecticut,.....	30	2,250	
Robert Carter, Kings co.	300	22,500	
Alanson Douglas, Troy,	401	30,075	
George Doughty, Queens co.	8	600	
S. N. Dexter, Whitesborough,.....	5	375	
Geo. Dickinson, Connecticut,.....	17	1,275	
Peter Fort, Poughkeepsie,	60	4,500	
Aug's Graham, Kings co.	45	3,275	
J. B. Graham, do	55	4,125	
Peter Gosline, Queens co.	12	900	
R. W. Hart, Connecticut,	63	4,725	
Wm. Hewlett, Queens co.	10	750	
Rose Hardy, Ulster co.	12	900	
Peter Hageman, Kings co.	6	450	
Robert T. Hicks, do	20	1,500	
Geo. S. Howland, do	5	375	
James Henderson, unknown,	10	750	
E. M. Johnson, Kings co,	12	900	
David Kimberly, Jr. do	20	1,500	
John Knickerbacker, Jr. Waterford,	60	4,500	
Wm. T. Lawrence, Queens co.	20	1,500	
John Lefferts, Kings,.....	20	1,500	
Luther Loper, Suffolk co.	5	375	
Daniel Metcalf, Connecticut,.....	28	2,100	
Lindley M. Moore, Queens co.	20	1,500	
E. M. Morgan, cashier, Connecticut,.....	60	4,500	
John Meger, unknown,.....	12	900	
J. Meritt and Son, Queens co.	5	375	
Joseph Otis, Connecticut,	20	1,500	
T. W. Patton, unknown,.....	5	375	
J. Perkins, do	20	1,500	
Walter Perry, do	36	2,700	
A. B. Phelps, do	21	1,575	
Robert Pearsall, Philadelphia,	50	3,750	
Cha's Pond, unknown,	10	750	
Matthew Repos, do.	15	1,125	
Daniel Stanford, Kings co.	50	3,770	
Agnes Stuart, unknown,	20	1,500	
Savings Bank, Middletown, Connecticut, ..	12	900	
Isabella Stuart, Queens co.	50	3,750	
Anna Smith, unknown,	9	675	
James Strong, Kings co.	66	4,950	

Carried forward,.....

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Moses Tucker, unknown,	17	1,275
James Titus, Queens co.....	2	\$150
Henry Van De Veer, New-Jersey,.....	20	1,500
A. N. Van Brunt, Kings,	10	750
	<hr/>	<hr/>
	2,025	\$151,875
	<hr/>	<hr/>

Abstract from the list of stockholders rendered by the *Phoenix Bank* to the Comptroller's office, for the year 1827. The stock of this institution is \$500,000; and a share of the stock is \$25. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following, viz:

Mary Allen, unknown,	7	175
Rebecca Boggs, Nova Scotia,.....	32	800
Tho's Boggs, do	42	1,050
Ja's & Mary Boggs, do	90	2,250
S. Betts, in trust, St. Croix, West Indies,.	100	2,500
Tho's L. Bogert, Queens co.....	12	300
Peter Bogert, do	220	5,500
Jos. Barron, unknown,	36	900
Jno. Brandigu, Connecticut.....	400	10,000
Arthur Baker, Oneida co.	30	750
Jno. Barnard, cashier, Connecticut,.....	100	2,500
Joel Bridge, unknown,.....	40	1,000
Audley Clarke, do	20	500
Jno. Carpenter, do	30	750
Margaret G. Cary, Boston,.....	70	1,750
Harriet Cary, do	70	1,750
James Clement, unknown,	20	500
J. J. Cossart, Queens co.....	19	475
James Drake, West Indies,.....	1,000	25,000
T. De Layseca, unknown,	380	9,500
N. Davenport, Westchester co.	40	1,000
Lloyd S. Dauberry, unknown,.....	24	600
C. L. Duane, Schenectady co.....	116	2,900
Julius Deming, Connecticut,.....	258	6,450
George Dickenson, unknown,.....	32	800
Nehemiah Denton, Kings co.....	150	3,750
Mary Ellis, unknown,.....	3	75
Rhoda Erscott, do	24	600
Robert Fairchild, Connecticut,.....	260	6,500
Jno. Holland, do	320	8,000
Geo. Holland, do	300	7,500
Dan'l Judson, do	20	500
J. Lathrop and others, do	30	750
B. Lockwood, do	8	200
	<hr/>	<hr/>

Carried forward,....

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
Wm. Lockwood, Connecticut,	3	\$75
Eliphalet Lockwood, do	3	75
Ja's Loyd, Boston,.....	400	10,000
Charlotte M. Munger, Albany,.....	23	575
Fanny Mumford, unknown,	3	75
D. Oakley and A. A. Bridge, England,....	130	3,250
Nathiel Potter, Philadelphia,.....	60	1,500
Mary Pierce, Connecticut,.....	6	150
Sarah Pierce, do.	8	200
A. O. Stansbury, do	16	400
Jno. Stewart, Nova Scotia,.....	40	1,000
Jonathan Starr, Connecticut,.....	100	2,500
Jno. & Cha's Taxton, do	100	2,500
Sam'l Vernon, Rhode-Island,	104	2,600
Eliphalet Wicks, Queens co.	100	2,500
Tho's Ward, New-Jersey,	100	2,500
W. S. Willson, England,	30	750
Ann M. Carey, Massachusetts,	70	1,750
Ruth Lamb, unknown,.....	2	250
	<hr/> <u>5,601</u>	<hr/> <u>\$140,025</u>

Abstract from the list of stockholders rendered by the *New-York Dry Dock Company*, to the Comptroller's office, for the year 1827. The stock of this institution is \$700,000, and a share of the stock is \$50 00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following :

Stockholders' names and residence.	Shares.	Amount.
Charles Atwater, Connecticut,.....	50	2,500
James Bloodgood, Queens co.	20	1,000
Love Baker, New-Jersey,	370	18,500
Brooklyn Fire Insurance Co. Kings co.	25	1,250
Capt. Wolcott Chauncey, U. S. Navy,....	220	11,000
Silas Condit, New-Jersey,	25	1,250
Edward Condit, do	40	2,000
James D'Wolf, Rhode-Island,.....	50	2,500
S. N. Dexter, Oneida co.	126	6,300
Susanna Goodwin, Hudson, Columbia co. .	2	100
Wm. Jones, Queens co.....	10	5,000
Sam'l. James, Brooklyn,	20	1,000
Samuel Jackson, Florida,	20	1,000
Leffert Lefferts, Kings co.....	20	1,000
John Lefferts, do	25	1,250
Jas. Morris, Westchester co.	25	1,250
Peter Jay Monroe, do	25	1,250
David Plant, Connecticut,	20	1,000
	<hr/>	<hr/>

Carried forward,....

<u>Stockholders' names and residence.</u>	<u>Shares.</u>	<u>Amount.</u>
Brought forward,....		
Gideon Patt, Conn.....	45	2,250
Frederick Phillips, Putnam co.	33	1,650
Jon. Peck, Queens co.	20	1,000
Seth Peck, Oneida co.	35	1,750
Daniel T. Smith, Queens co.	10	500
Nathan Smith, Connecticut,.....	200	10,000
Thos. C. Smart, Dutchess co.	200	10,000
Peter Taulman, New-Jersey,.....	50	2,500
Jno. S. Wiley, U. S. Navy,.....	62	3,100
Amasa Wright, Brooklyn, Kings co.	25	1,250
	<hr/>	<hr/>
	1,773	\$88,650
	<hr/>	<hr/>

Abstract from the list of stockholders, rendered by the *Franklin Bank*, for the year 1827, to the Comptroller's office. The stock of this institution was \$510,000, and a share of the stock was \$50 00. The whole of the stock, as shown by the list, is owned in the city of New-York, except the following:

<u>Stockholders' names and residence.</u>	<u>Shares.</u>	<u>Amount.</u>
L. Baker, New-Jersey,.....	100	5,000
Jno. Bedell, Kings co.	18	900
W. W. Boardman, unknown,	15	750
Lambert Bercier, France,.....	116	5,800
Henry Bamman, Albany,	160	8,000
F. C. Bassett, Massachusetts,	50	2,500
J. S. Cogdell, unknown,	160	8,000
Timothy Dunn, do	4	200
Margaret Doughty do	1	50
Peggy Ana Doughty, do	11	550
Geo. Faile, Westchester co.	13	650
A. Furman, jr. Long-Island,.....	28	1,400
A. Furman, sen. do	15	750
Lewis Gregory, unknown,	30	1,500
Geo. Gibbs, jr. do	80	4,000
Elsa Goodyear, do	23	1,150
Wm. A. Hart, do	12	600
Sally B. Haviland, do	24	1,200
W. Hammond, Westchester co.....	20	1,000
R. Henderson, unknown,.....	10	500
W. W. Haydock, Troy,.....	36	1,800
Jas. Hewlett, unknown,	20	1,000
Geo. Haley, do	10	500
Samuel James, Long-Island,.....	6	300
Sarah Jayne, unknown,	10	500
Saml. Mather, Connecticut,	50	2,500
L. M. Moore, Long-Island,.....	10	500
	<hr/>	<hr/>

Carried forward,.....

Stockholders' names and residence.	Shares.	Amount.
Brought forward,.....		
E. M. Morgan, Connecticut,.....	52	\$2,600
E. Miller, in trust, Kings co.	10	500
Jno. Powell, Long-Island,	18	900
Curtis Peck, do	11	550
Peleg Peckham, do	22	1,100
Henry Post, jr. Long-Island,.....	2	100
Isaac Packard, Boston,	200	10,000
N. Rhodes, Long-Island,	4	400
Jacob Rhinelander, Westchester co.	118	5,900
Watson Smith, do	25	1,250
Solomon Underhill, do	20	1,000
Union College,	200	10,000
Isaac Van Wart, Westchester co.	10	500
	1,724	\$86,200

[No. 277.]

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The fy of New-York in the year 1823
 and the state, and owned by the state,
 and said Banks, on file in this office.

to State.	Amount owned by the people of the State of New-York.	Total Capital.
Mechan ⁵ 00	.....	\$2,000,000 00
Mercha ⁰ 00	\$180,000 00	1,490,000 00
Bank of ⁰ 00	.....	965,000 00
Bank of ⁰ 00	60,800 00	2,049,500 00
Union ¹ 00	.....	1,000,000 00
Tradear ⁰ 00	.....	600,000 00
Phoenix ⁰ 00	.....	500,000 00
North-P ⁰ 00	.....	500,000 00
Manhat ⁰ 00	50,000 00	2,050,000 00
City Ba ⁰ 00	.....	1,588,700 00
Franklin ⁰ 00	.....	500,000 00
 ⁵ 00	 290,800 00	 \$13,243,200 00
 Mechan ⁰ 00	.....	2,000,000 00
Mercha ⁰ 00	180,000 00	1,490,000 00
Bank of ⁰ 00	.....	1,000,000 00
Bank of ⁰ 00	60,800 00	2,031,200 00
Union P ⁰ 00	.....	1,000,000 00
Tradear ⁰ 00	.....	480,000 00
Phoenix ⁰ 00	.....	500,000 00
North-P ⁰ 00	.....	500,000 00
Manhat ⁰ 00	50,000 00	2,050,000 00
City Ba ⁰ 00	.....	1,250,000 00
Franklin ⁰ 00	*10,000 00	510,000 00
Delawa ⁰ 00	.....	1,500,000 00
Chemie ⁰ 00	500,000 00
Fulton ²⁵ 00	750,000 00
Dry De ⁵⁰ 00	700,000 00
 10 00	 \$300,800 00	 \$16,261,200 00

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No. 278.

IN ASSEMBLY,

March 17, 1830.

REPORT

Of the Committee on two-third bills, on the bill in relation to certain public lands in the village of Oswego.

The Committee on two-third bills, to which was referred the bill from the honorable the Senate, entitled "An act in relation to certain public lands in the village of Oswego," with instructions to present a state of facts and their opinion thereon,

REPORT—

That it appears, from an examination of the petition and the documents accompanying the same, and the report of the committee of the Senate submitted to their consideration, that in the year one thousand eight hundred and twenty-seven, the Surveyor-General of this state, in pursuance of a law passed in that year, and under the direction of the Commissioners of the Land-Office, sold a number of lots belonging to the people of this state, at public auction, lying on the east side of the Oswego river, in the village of Oswego. That at the time of such sale, a field-book and map, together with an estimated and appraised value of such village lots, made by Messrs. Huntington and Brodhead, who had acted as surveyors on behalf of the state, was publicly exhibited to the persons attending such sale. That on such map, certain lots were, by such surveyors, designated and recommended to be reserved and appropriated to public purposes, to wit: block number one hundred and two, for a public square; blocks number ninety-two and ninety-three, with Twelfth-street intermediate, for a cemetery; and lot number one hundred and forty-two, in block number sixty-seven, and lot number one hundred and sixty-six, in block number one hundred and forty-

[No. 278.]

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one, as school lots; all lying on the east side of the Oswego river. It appears from the report of the committee appointed by the honorable the Senate, that the Surveyor-General sold a great portion of the blocks then remaining the property of the state, in conformity to such plan, but did not offer for sale or sell the blocks designated for a public square or cemetery, under the impression that they ought to be retained and set apart for public uses, and that he restrained from selling the school lots, at the request of the inhabitants. In the year one thousand eight hundred and twenty-eight, a law was passed, entitled "An act in relation to the public lands therein mentioned;" and by the eleventh section thereof, having immediate reference to this question, it was enacted, that block number one hundred and two, on the east side of the Oswego river, should be set apart and appropriated for the use of a public square, for the accommodation of the court-house in said village, and should be regarded as attached to the lot on which the court-house is situated, so far as to give to the supervisors in the county of Oswego, the control and superintendence thereof, in the same manner as if it was part of the said lot. It does not appear to your committee, nor have they any reason to believe, that any disposition or appropriation was made, by any act of the legislature, of the remaining blocks or parts of blocks, so respectively designated for a cemetery or the erection of public schools; and this, as far as your committee have been able to ascertain, was the true state of this question at the commencement of the present session of the Legislature. On examination of the bill submitted to this committee, it appears,

1st. That the first section enacts that such parts of the public lands known as block number one hundred and two, on the east side of the Oswego river, should be appropriated and set apart as a public square, for public accommodation; and the control, superintendence, and improvement thereof, for the purposes aforesaid, is declared vested in the president and trustees of the village of Oswego, and repeals so much of the act passed the 21st April, 1828, as vests the power, superintendence, and control of the said block, in the supervisors of said county.

2d. The second section appropriates blocks numbers ninety-two and ninety-three, with Twelfth-street intermediate, for the uses and purposes of a public cemetery or burying-ground, for public accommodation for the said village, for ever; and in like manner, submits the control, superintendence, and improvement thereof, to the pre-

resident and trustees of the village of Oswego, for the purposes and intents in said section expressed.

3d. In the third section of the said bill, the lots designated as public school lots, on the map and survey aforesaid, are declared to be appropriated for the use of the public schools of the said village, and are also, for such purpose, placed under the superintendence and control of the corporation of said village, known as the president and trustees of the village of Oswego.

4th. The fourth and concluding section of the bill, authorises the sale of a small portion of the public land lying in a cove or marsh near said village, and needs, in the opinion of this committee, no further explanation, as it can in no event affect the decision of the question submitted.

A preliminary question presents itself here, on the following statement of facts:

On the fourteenth of March, one thousand eight hundred and twenty-eight, an act was passed to incorporate the village of Oswego, by the second section of which act, the freeholders of the village, under certain regulations in such law prescribed, were authorized to elect seven discreet persons, together with a fit and suitable person to be president of said village and of the said board of trustees, with corporate powers; and such board so elected in conformity with such act of incorporation, constitute that body corporate, distinguished in the bill now under consideration, as the president and trustees of the village of Oswego.

Our statutes require, (see Revised Laws, first volume, page 156,) that every association intending to apply to the Legislature for an act of incorporation, and every corporation intending to apply for an alteration, amendment, or extension of its charter, shall cause a notice of such application to be published in the state-paper, and in the paper published in the county where the corporation is, or is intended to be located, at least six weeks before such application shall be made. Your committee have not been able to ascertain whether any notices were ever given as by law prescribed. And as such act contemplates to affect the power of the corporation, by transferring to them, in one instance, certain powers of superintendence and control heretofore vested in the supervisors of the county of Oswego; and, in the other two, by giving and transferring to them new powers heretofore vested in the people of this state; it may

well be questioned, whether such notice as the law prescribes is not necessary in such case ; and whether the omission to give such notice is not fatal to this application. The committee are aware that they are not called upon to give any opinion on this question, by the resolution of this House, and shall, therefore, submit a mere statement of the fact, with some observations.

The act requiring such notice, contemplates an application to be made by the association itself, for an act of incorporation ; or by such corporation, for amendment, alteration, or extension of its powers ; but does not appear, by its letter, to extend to a grant of new powers from the state without application by such association or corporation. If the literal construction be given to this clause, then the necessity of notice will depend upon the fact whether the application is made by the corporation itself, or by individuals not belonging to such corporation. The propriety of requiring a notice, in all cases where a law is asked for, altering, extending, or renewing the powers of a corporate body, is founded in strong considerations of public policy—that no public or private rights should be invaded or infringed upon by any alterations of charter powers, without due notice shall be given, in the most public manner, of such intention. By such construction, it will be observed that the spirit of the provision is counteracted, and its public policy rendered useless and nugatory ; for any corporate body can apply, in the name of the inhabitants living under its jurisdiction, for an extension of its powers, and by their dispensing with the necessity of notice, obtain indirectly, by altering the mode of application, such relief as might not be granted to them on direct application made by themselves, and without a public and legal notice. This remark presents itself in full force to the application for the extension of corporate rights from every city and village within this state ; and your committee would submit to the consideration of the House, whether it would be fit or proper to adopt such a construction of the law as shall dispense with the necessity of such notice, or which might, by a little dexterity of management, and by altering the mode of application, infringe upon and take away rights and privileges from the people at large, without their knowledge, privity, and consent. On the preceding statement of facts, the question arises, whether this bill requires the assent of a bare majority, or whether the assent of two-thirds of the members elected in each branch of the Legislature, is necessary, to give to the same the validity, force, and effect, of a law. Section ninth of

the seventh article of the constitution, provides "that the assent of two-thirds of all the members elected to each branch of the Legislature, shall be requisite to every bill appropriating the public moneys or property for local or private purposes, or creating, continuing, altering, or renewing, any body politic or corporate." This section naturally separates itself into two distinct propositions. First, as regards the appropriation of public lands or moneys for local or private purposes. Secondly, such acts as shall be passed for creating, continuing, altering, or renewing, any body politic or corporate.

It is difficult to perceive for what reason this bill can, in any view of this subject, be considered as excluded from the provisions of this section of the seventh article of the constitution; nor do any grounds for such exception, suggest themselves to the consideration of the committee.

This is public property. It was part of a larger tract of land, which, in the year 1827, constituted part of the village of Oswego, and was reserved by the Surveyor-General on the sale of the village lots in that year, for the use of the State, to be disposed of and appropriated at some subsequent period, in such manner as the public discretion should advise, and public interest might require. Indeed, the bill itself, by proposing to transfer and appropriate such reserved right or title, by gift or grant to the president and trustees of the village of Oswego, for such purposes as are declared in such gift or grant, proceeds on this position: it contemplates the parting with some right to property belonging to the people of this state; and be this subject so given or granted, comparatively valuable or otherwise, it is an appropriation pro tanto of so much of the public property. The next branch of inquiry proposed for investigation, is to determine the true intent and meaning of that part of the constitutional section which speaks of grants for local or private purposes; and whether the bill now before us, comes within the scope of these provisions.

The words "local or private purposes," in this section, must be understood as contrasted with such appropriations as are intended for general or public purposes. The obvious meaning of these terms so contrasted, is so plain at first glance, as not to be worth the trouble of a definition: it is only necessary so to state them, to illustrate the distinction.

It will be observed, that the words "local or private," are used in the disjunctive; and, of course, refer to two different objects. We may suppose a case of an appropriation of the public monies or property for public objects, that still is confined to local purposes; as an appropriation for opening and constructing a road through a particular section of country, which can in no event benefit the interests of the community at large. This has all the qualifications of locality. On the other hand, public monies or property may be granted for private purposes, as grants to individuals, from the equity powers of the legislative bodies, which have no portion of locality whatever, which do not relate to place; but appertain to the individual on whom the favor rests: but in either case it would require, in order to make such grant effectual, the consent of two-thirds of the members elected to each branch of the Legislature.

This appropriation, then, can be considered in no other light than a local appropriation, within the meaning of that section of the constitution; although such grant may not be for private purposes, but for the public purposes of the village of Oswego. Its locality arises from the fact that it is granted for the use of the inhabitants of that vicinity, and for the use and convenience of that village alone, without reference to general purposes, or the great and general interests of the community at large. Let us, for a moment, descend into particulars. The public square is designated for the embellishment of this little settlement—interesting by the history of its border conflicts, and the associations with other times—it adds to the comfort and convenience of its citizens, and gives a value to the property that surrounds it. Is not this then, when we consider that the blessings that are to be dispensed by such grant are entirely confined within the narrow circle of the village limits, emphatically a public appropriation for local purposes? Suppose the State owned no property in that village, but that the block now called the public square had been owned and possessed as the private property of some individual; and that in order to enable the board of that village to purchase the same, a grant should be made of the sum of one thousand dollars. Such a bill has been always passed as a two-third bill; and where is the sound distinction between the two cases? In one, the State give the money to purchase the lot; and in the other, they give the lot itself—in both cases parting with its interests to effect local purposes.

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The same remarks apply with equal force to the grant of the lots for a public cemetery, and for the erection of public schools; embracing two most important local purposes, and comprehending therein the wide space between the cradle and the grave.

But another objection presents itself. On recurrence to the first enacting clause of the bill, it will be observed, that certain rights and powers exercised and possessed over the block designated as the public square, by the supervisors for the time being of the county of Oswego, are transferred to the corporation of that village, and vested in a body distinguished in the act of incorporation before referred to as the president and trustees of the village of Oswego. The second and third sections of the bill vests similar powers of superintendence and control in the same corporate body, over certain other village lots designated as the public cemetery and public school lots, which heretofore were subject to the disposal and control of the people of this state; giving them power over new subject matter. The bill constituting them a body corporate, gave them power and control over the property of the village for certain purposes; and required, as an act of incorporation, the assent of two-thirds. This bill, proposing to extend those powers to other pieces and portions of land, especially to the public square, over which they had no jurisdiction, but which by a former act was declared vested in the supervisors of the county of Oswego, must, upon the same principles upon which the original act of incorporation was passed, require for such amendment and extension, the vote and assent of two-thirds of the members elected, in order to bring it within the controlling principle of that clause in the constitution.

Having thus disposed of the first question submitted, and assuming, upon the conclusions already drawn from the facts above stated, that this bill comes within the constitutional provision, one question yet remains for discussion, depending on the true construction of the joint rules of the Senate and Assembly of this state, and upon their application to this case.

The eighth rule prescribes that the same bill shall not create, renew, or continue more than one incorporation, nor contain any provisions in relation to the altering of more than one act of incorporation; nor shall the same bill appropriate the public money or property to more than one local or private purpose. This bill is undoubtedly founded upon that part of the constitution before referred to and considered, and is a practical construction on its true

intent and meaning, given to it immediately after its adoption : it is only that part of the rule which prohibits the appropriation of the public moneys or property to more than one local or private purpose, in the same bill, that is applicable to the question before us.

The reasons that must have influenced the framers of this rule, in adopting such a principle, is founded in the intention and spirit of the constitution, and is made in direct accordance of its avowed object. It is founded on the policy of preventing the forming of powerful combinations of interests, to move in concentrated force and power, for the accomplishment of personal objects. It was done to prevent the passage of laws granting monopolies and privileges to certain classes of individuals, to the great detriment and injury of the community at large. If it were not for the provisions of this joint rule, carefully framed and wisely guarded, it would be easy and practicable for the numerous applicants for bank charters at the present session of the Legislature, to have incorporated the same, by concert, in one general bill, as was practised in the sister state of Pennsylvania, some years since, and passed them in gross, by one single vote of the Legislature. Such a mode of legislation would be dangerous, corrupt, and oppressive : it would prevent the exercise of a sound and discriminating judgment, in the granting or rejecting of such chartered privileges ; and, in consequence, would be destructive to the true interests of a great and growing people. This bill, in the opinion of your committee, is framed and contains sections that are contrary to the express terms and provisions of the joint rule aforesaid inasmuch as,

First, it contemplates the appropriation of one block as a public square, which is an appropriation to one local purpose.

Secondly, it appropriates another block for the public and local purposes of a public burying-ground.

Thirdly, as it appropriates a portion of two other blocks for the erection of public schools for the local purposes of said village, totally distinct and separate in its object and appropriation, and all three differing from each other.

Your committee, therefore, from this view of the facts above stated, have come to the preceding conclusions, and submit thereon the following resolutions :

Resolved, as the sense of this House, That the bill from the honorable the Senate, entitled, "An act in relation to certain public

lands in the village of Oswego," requires the assent of two-thirds of the members elected to each branch of the Legislature, to pass the same into a law.

Resolved, as the sense of this House, That the bill from the honorable the Senate, entitled, "An act in relation to certain public lands in the village of Oswego," inasmuch as it appropriates, in the same bill, the public property to more than one local purpose, is contrary to the true intent and meaning of the eighth rule of the joint rules of the Senate and Assembly of this state.

SAMUEL S. LUSH,
Chairman of Committee.

[No. 278.]

IN SENATE,

March 18, 1830.

REPORT

Of the Commissioners of the Land-Office, in compliance with a Resolution of the Honorable the Senate.

The commissioners of the land-office, in compliance with the resolution of the honorable the Senate, requiring them to report "the quantity of land belonging to each fund of this state, which have been sold within the last five years, and the product in the aggregate, of such sales. Also whether there is a possibility of any considerable appreciation in the value of those lands, or of the lands belonging to either of those funds ; or whether said lands or any of them, are liable to a diminution in value, from depredations on them or for any other cause. Also whether in their opinion it would be useful, if practicable, to sell all said lands, in the aggregate, those belonging to each fund by themselves, or in large portions, with a view to effect the sale of the whole ; and in case of such sale, whether there are any lands which the interest of those funds, respectively, require should not be sold," have the honor to

REPORT :—

That the amount of vacant lands, and the respective funds to which they were appropriated, that have been sold in the five years, ending on the 30th of last November, together with the consideration moneys that have been paid and secured on their account, will appear by the following statement :

General fund,.....	31,660 acres, sold for.....	\$158,803 91
School fund,.....	126,997 " "	219,974 95
Literature fund,....	1,210 " "	3,397 34
Canal fund,	19,627 " "	122,232 05
 Total,	179,494	\$504,408 25

This statement is exclusive of the escheated lands, and the lands that have been bid in for the state on the foreclosures of mortgages.

In regard to the information required, respecting the probable appreciation in the value of the public lands, the commissioners of the land office observe, that the price of land, like that of other articles of traffic, depends on the demand there may be for it, and this demand naturally increases with the increase of population. All speculators, if they act rationally, must found their hopes of profit on this principle, and calculate the time when the lands they may purchase will probably come in demand for actual settlements. The time has gone by when one speculator has built his prospects for disposing of his lands advantageously, to another less discreet than himself.

The commissioners of the land-office are therefore of opinion, that it would be impossible to sell all the lands of the state in the aggregate. This opinion is fortified by the fact, that 93,372 acres of land have been abandoned by their owners and bought in by the state, for the taxes assessed on them, as appears by the Senate Journal of 1829, at page 57 of the appendix. Other non-resident land-holders complain of the great amount of taxes which they have paid in the course of many years, and that their prospects of remuneration are yet at a discouraging distance, without any hopes in a relaxation of that leaning of assessors, against non-resident land-holders, which it is surmised has in no small degree influenced some of them in apportioning their tax lists. Whether such a surmise, or rather belief, be well founded or not, it is certain that it exists, and consequently must admonish non-resident land-holders not to extend their purchases, and it must also deter others that might be inclined to become adventurers, from investing capital in such property.

By the existing laws, two modes of a general nature are provided for selling the unappropriated lands of the state. The first was enacted in 1803, and has continued to the present time; it directs the

commissioners of the land-office from time to time, at their discretion, to cause the lands to be surveyed into lots of a convenient size, of which the surveyor is to report a valuation. They are then to be advertised for sale for eight weeks, and sold to the highest bidder at public vendue, but not under the appraised value. If no bid be received for any lot, the first applicant thereafter shall be entitled to it on making the first payment required at the time, and complying with the other conditions prescribed by the act. Under this provision, the lands that were not taken at the different auction sales, have been gradually, and as rapidly as could be expected, sold on such applications, which continue to be made in a regular course.—The immediate payments required by this act, was fixed at one-eighth of the purchase money, which has since been altered so as not to be less than twenty-five per cent.

The other mode was enacted on the 13th April, 1827. It authorises the commissioners of the land-office to sell lands in the fourth senate district to applicants, in tracts of unlimited extent, "at such reasonable price as they may ascertain to be their real cash value." Under this provision, one tract of 6,088 acres, adjoining the south bounds of township number twelve, of the old Military Tract, has been sold for *ten cents* per acre. Both these modes of selling unappropriated lands are re-enacted in the Revised Laws, chapter 9th, title 5th, article 3d. The commissioners of the land-office cannot recommend any substitutes or alteration.

In regard to the inquiry "whether the said lands, or any of them, are liable to a diminution in value from depredations on them, or for any other cause," the commissioners observe that the lands of the state as well as those of individuals, which cannot be continually watched, are exposed to occasional depredations by offenders who will escape detection and punishment; but it is believed that what belongs to the state is protected by the laws specially enacted for this purpose, as efficiently as is practicable by any means that can be devised, without incurring unwarrantable expenses, and it is not apprehended that any depredations that may be made on the unappropriated lands, will, to any material degree, affect the value of the lands in the aggregate.

There is one case which, although it does not come within the call of the Senate, yet as it affects the interests of the state injuri-

ously, the commissioners of the land-office beg leave to state it, and recommend a remedy. The lands of non-residents, held only by the Surveyor-General's certificates of sales, are liable to taxation in the same manner as if they were held by titles in fee. The taxes imposed on them and not paid are reported to the Comptroller, whose duty it then is, if the tax remain unpaid after the time allowed by law, to sell so much of such lands as will liquidate the tax. In most cases, lands thus sold are purchased for considerations far below their value. After which, it may happen that the same lands are exposed for sale for arrears due on them and bought in for the state, diminished in value to the amount of the part before sold for taxes. To guard against this evil for the future, the commissioners of the land-office recommend that they be authorised, whenever taxes on lands held by certificates are reported to the Comptroller, and such lands shall become liable to be sold for the taxes assessed on them, the commissioners of the land-office shall either direct such land to be sold, subject to the tax, in like manner as they are authorised to sell lands for arrears of principal and interest due on them, or direct the Attorney-General to prosecute the purchasers on their bonds given for the purchase money of such lands.

The commissioners of the land-office beg leave to represent another case which may be entitled to legislative consideration. When lands have become the property of the state on foreclosures of mortgages, the commissioners are authorised to sell them in such manner as they may deem best for the interest of the state. They have pursued this mode. Appraisers are appointed to ascertain their value ; the Surveyor-General is then directed to advertise and sell them by auction. If the valuation is less than what is due on the mortgage, it is made the minimum price. If more, the sum due, with the addition of cost, is made the lowest bid to be received. If no bid be received, it is bought in for the state. After which, the commissioners of the land-office sell them on the best offers that may be received, without making too great a sacrifice. A considerable number of farms of this description are yet remaining unsold, and it is difficult for the commissioners to ascertain what ought to be the least price they should set on them at private sale. Under these circumstances, it is respectfully suggested, whether it would not be advisable to authorise them in such cases to adopt the course pursued by many individuals who are largely concerned in

lands : that is, to employ trusty agents to dispose of their property on commission.

Respectfully submitted.

SIMEON DE WITT, *Surv.-Gen'l.*

SILAS WRIGHT, Jun. *Comptroller.*

GREENE C. BRONSON, *Att'y.-Gen.*

A. KEYSER, *Treasurer.*

A. C. FLAGG, *Secretary.*

March 18th, 1830.

IN ASSEMBLY,

March 18, 1830.

REPORT

Of the Canal Commissioners, on the petition of Paisley Laing.

The canal commissioners, to whom was referred by the honorable the Assembly the petition of Paisley Laing, submit the following

REPORT—

The premises of the petitioner are situated on the west bank of the Hudson river, and a short distance above the Saratoga dam.— His claim for damages was examined by the appraisers in 1826. They seem to have been satisfied that the benefits to him were as great as the injuries, for they awarded him no damages. From this award he did not appeal. If the statement of the petitioner is correct, he has been seriously injured by the floods of the river, since the above award was made; and it is possible that the appraisers may not have anticipated all the mischiefs which would result to the petitioner, from the floods of the river.

There is no human tribunal exempt from error and mistake: but whether in case there was error, it would be politic to pass a law authorising a re-appraisement of damages, is a question exclusively for the Legislature.

The petitioner presented his claim to the appraisers last August, contending that the act, entitled "An act authorising the Canal Commissioners to pay certain damages on the Champlain canal," passed April 8, 1829, extended to his case, and that by this law it became their duty to review his claim.

This act authorises the Canal Commissioners to pay damages occasioned by the erection of the Saratoga dam, but it is believed, that it was intended for the benefit of claims upon which damages had been awarded, and of which there were one or two. This supposition is fortified by the circumstance, that the petitioner presented his petition to the same Legislature which passed this act, and it was rejected by the canal committee of the Senate. See Senate journal, page 208.

S. YOUNG,
Wm. C. BOUCK,

March 18, 1830.

No. 281.

IN SENATE,

March 18, 1830.

REPORT

Of the Committee on Banks and Insurance Companies, on the bill from the Senate, to incorporate the President, Directors and Company of the Saratoga Bank.

Mr. Allen, from the committee on banks and insurance companies, to which was referred the bill from the Assembly, to incorporate the president, directors and company of the Saratoga bank,

REPORTED AS FOLLOWS, TO WIT:—

That from the verbal information of gentlemen interested in the application for this bank, and the statements of the petitioners, they have been placed in possession of the following facts:

The village of Waterford, where the bank is to be located, is represented as a place of considerable trade and business. Lying at the head of sloop navigation, and at the junction of the Champlain canal with the Hudson river, it must naturally possess many advantages as a commercial place. It is said to be the most usual market for the produce of the county of Saratoga, a large portion of which is purchased at Waterford and shipped direct to New-York.

The amount paid for wheat and other grain, by the merchants of that place, during the last year, as ascertained by personal application to the purchasers, was \$70,734; and for beef and pork, \$95,237; making a total of \$165,971. In addition to this, it is stated, that large quantities of lumber, iron, and other products, from both sides of Lake Champlain, are purchased at the village.

The committee are further informed, that an extensive water power exists in the immediate vicinity of the village, on which there are now erected, a cotton factory, two grist or flouring mills, one saw-mill, and a machine factory. There is also a considerable establishment for iron castings, in the neighborhood of the place, and a due share of mechanical operations carried on in the village; to which may be added, the retail business, both in foreign as well as domestic goods, in which several individuals are engaged.

The bank of Troy has a branch establishment at Waterford, which has been a great accommodation to the inhabitants of that place, as well as to the whole county of Saratoga; but, by the act renewing the charter of that bank, they are prohibited from continuing the branch after the expiration of the original act of incorporation; and this fact, in the opinion of the committee, is a strong reason in favor of the present application.

The committee are informed and believe, that a capital of much larger amount than that named in the bill from the Assembly, has been employed by the bank of Troy at the village of Waterford, for more than sixteen years past; and if the business of that place has been such as to induce the continuance of the branch bank for so long a period of time, it is at least proof that the place is able to support a banking institution of moderate capital; and as the inhabitants of the county of Saratoga have thus long given employment to the capital of their neighbors of Troy, and as that capital is about being withdrawn, it is but reasonable that they should be permitted to supply the deficiency, in order that the facilities they have been accustomed to receive, may be continued.

The committee are of opinion, therefore, that the bill for chartering the Saratoga bank ought to be passed into a law.

IN ASSEMBLY,

March 5, 1830.

REPORT

Of the Committee on the Establishment and Improvement of Roads and Bridges, and the Incorporation of Turnpike Companies, on the petition of sundry inhabitants of the counties of Franklin and Clinton, relative to the military road therein.

Mr. Mott, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Franklin and Clinton, relative to the Military road in said counties,

REPORTED:

That they have had the subject under consideration referred to them, and find that by an act of the Legislature of this state, passed March 15th, 1822, seven thousand dollars, the one-half from the treasury of this state, and the other half to be raised by tax on the counties of Franklin and Clinton, were appropriated for the completion of the Military road (so called) from Plattsburgh to the east line of the county of Franklin. By the act passed on the 14th day of February, 1823, the judges of the court of common pleas of the said county of Clinton, were authorised to erect, or cause to be erected, a toll-gate on the great road leading from Plattsburgh to Chateaugay, and to prescribe the rates of toll to be received at said gate, for the purpose of keeping in repair the said road.

The object of the petitioners appears to be to obtain the passage of a law authorising the Governor of this state, or the judges of the

[No. 282.]

court of common pleas of the county of Franklin, to appoint one or more of the citizens of the said county of Franklin, commissioners for the purpose of inspecting all the accounts of tolls received or to be received at said gate: and of the manner in which the said tolls have been and may hereafter be expended. And that the said commissioners may have a right to act in conjunction with the supervisors of the county of Clinton, in the discharge of the duties required of them by the said act of the 14th of February, 1823.

The reasons set forth in the petition in support of their claim, not having been sufficiently satisfactory to induce your committee to recommend the passage of a law granting the prayer of the petitioners, they have directed their chairman to introduce the following resolution:

Resolved, That the petitioners have leave to withdraw their petition.

IN ASSEMBLY,

March 5, 1830.

REPORT

Of the Committee on the Establishment and Improvement of Roads and Bridges, and the Incorporation of Turnpike Companies, on the petition of Dudley Farland and others.

Mr. Latham, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to whom was referred the petition of Dudley Farland and others, praying a grant from the state of two thousand dollars, to enable them to construct a road from the head of Lake George to the town of Warrensburgh, in the county of Warren,

REPORTED:

The petitioners state that the road now travelled between those two points is the same on which the mail is carried from Albany to Montreal, and is much used; and after expending the tax yearly assessed thereon, it still is in a miserable state of repair: and that its location is such, that it never can be made a good road. It also passes over a steep hill, which, at certain seasons, is attended with difficulty and danger to those who travel with carriages, as represented by the petitioners.

Your committee are informed by the petitioners, that all those difficulties are to be remedied by a different location of said road.

This, in the minds of your committee, would be a desirable object, but not of sufficient magnitude to warrant the appropriation; particularly as the commissioners of highways of the several towns are

already invested with power to alter the route of the road as the public good may require. They therefore have directed their chairman to present the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

IN ASSEMBLY,

March 18, 1830.

REPORT

Of the Canal Commissioners on the petitions of Jacob Vreeland, Nathan Teal and others.

The Canal Commissioners, to whom was referred by the honorable the Assembly the petitions of Jacob Vreeland, Nathan Teal and others, and of inhabitants of the county of Seneca, respectfully submit the following

REPORT:—

The petitioner, Jacob Vreeland, is the proprietor of a fulling-mill and carding machine, situated on the Peninsula, at the foot of the Seneca-lake, and near its west shore; to which he draws his supply of water from the lake, and discharges it into the outlet, through a race cut on his land; and during the past season has completed a grist-mill.

The petitioners, Nathan Teal and others, are proprietors of a grist-mill erected on the natural outlet, which is supplied with water from a dam built across its channel. The natural fall at the foot of the lake, is about eighteen inches, and is all which can be claimed by these petitioners.

The Seneca lock navigation company, for the purpose of forming a connection with the lake, cut a boat channel from the outlet to the lake near its east shore, in which they placed a lock for the passage of boats. This lock, and the obstructions which were put in the natural outlet, raised the water in the lake about eighteen inches; cor-

responding with the rise of water in the outlet, immediately below the lake, occasioned by the erection of the Waterloo dam by said company, leaving the petitioners with a fall equal to their natural privileges.

The act entitled "An act authorising the construction of the Cayuga and Seneca canal," passed April, 1825, directed the canal commissioners to so construct the public work, as to reduce the water in the lake and outlet to its natural level; and also to reduce the water in the lake, one and a half feet below its natural level, provided the owners of lands at the head of the lake should pay the damages resulting from such reduction. The latter provision of this act was not carried into effect for reason set forth in our report to the Legislature, which will be found in the 51st session, page 711 of the Assembly journals.

In order to determine on a level upon which the canal was to be constructed between Geneva and the outlet, it became necessary to ascertain, as nearly as was practicable, the natural level of the lake. The attention of the engineers was directed to this subject, and after a careful investigation, a level was assumed, which it is believed is nearly correct.

The public works have been so planned and constructed, as to meet the requirements of the act above referred to, in reference to the reduction of the water in the lake and outlet, to its natural level.

The boat channel to which we have alluded and which was constructed by the Seneca lock navigation company, is wider and deeper than the natural outlet, and since the lock which was placed in it has been carried away, the water from the lake has discharged more freely than it formerly did through the natural outlet; and has not only reduced the water at an earlier period, but below its natural level. This circumstance taken in connection with the dry season of last year, produced a depression in the level of the lake, equal to one foot below what was assumed by the engineers as its natural level; and the fall between the lake and outlet last October and November, did not vary much from eight inches.

The capacity of the natural channel of the outlet, was insufficient to discharge the water from the lake as fast as it accumulated by the spring floods, and occasioned an annual rise of about three feet.—The mill owners and inhabitants on the outlet, claim the benefit of

this reservoir, which it is said continued to some extent, as late as September.

The increased capacity of the artificial channel to which we have alluded, serves to exhaust this reservoir much earlier in the season, and consequently produces a material diminution of water during the dry months in the season, which is said to be highly prejudicial to the hydraulic erections on the outlet; and the owners and occupants ask to have this difficulty obviated.

There are several streams proceeding from the high land adjoining the lake, which in the spring furnish considerable quantities of water; but during several months in the season the supply is almost entirely confined to the outlet of Crooked lake and Catherine creek, furnishing only a limited quantity, and insufficient for the requirements of the canal and the mills on the outlet.

The reduced level of the lake, and the small quantity of water issuing from it during the latter part of the past season, caused some difficulty to the navigation, on account of the depressed state of some of the levels: and if the present arrangement at the foot of the lake is to be permanent, it will be necessary to incur some expense in deepening that level of the canal adjoining the lake, at Geneva, and the outlet immediately below.

The reclaiming of the low land at the head of the lake is undoubtedly a desirable object, both as it regards the health of the inhabitants in its vicinity, and the increased value which it would give to about two thousand acres of marsh land. To effect this object, it would be necessary to reduce the lake below its natural level, which can only be effected by enlarging and deepening its outlet. This improvement has been steadily opposed by the mill owners at the foot of the lake and on the outlet, alleging that it would diminish the value of their water power.

The proceedings of the canal commissioners under the several laws which have been passed on this subject, will be found in the journals of the Senate, 50th session, page 418, and in the journals of the Assembly, 51st session, page 511, and in the 52d session, page 515.

The engagements of the canal commissioners during the past season, have been such as not to allow them time to institute the pro-

ceedings contemplated by the act, entitled "An act authorising the canal commissioners to reduce the waters of the Seneca lake," passed May 4th, 1829.

It is important, both as it regards the public work and private rights, that this matter should be definitively settled; and unless the act last referred to should be repealed or modified at the present session, measures will be taken early next spring to carry into effect its provisions; and if the owners of lands at the head of the lake should decline to accept of its terms, the outlet should be so arranged as to sustain the natural level of the lake, or it should be abandoned as a part of the public work, and the level of the canal adjusted to the lowest state of water which might be produced if the outlet should remain in its present situation; the expense of which would not vary much from \$2,000.

It is, however, more than probable that if the state should abandon this artificial channel, which now serves as the only outlet, (the natural outlet being obstructed by a dam and grist-mill,) that individuals interested in maintaining the highest level of the lake, would so obstruct the passage of the water as to sustain at least its natural level. In this event, the state would save the expense of deepening that part of the canal referred to, and as they have the first right to use the water, a sufficient quantity for the purpose of navigation could always be controlled.

All the hydraulic erections on the outlet, except two or three at Waterloo, have been made since the construction of the works of the Seneca Lock Navigation company, and all of them are now dependent for a supply of water upon the dams erected by said company.

These mill owners have obtained no right to the use of the water, except such as is given by the act incorporating this company, which subjects them to all the contingencies incident to the requirements of the company, in sustaining and improving their works and maintaining their navigation.

By a reference to the act first referred to in this report, it will be seen that the state have become invested with all the property, interest and privileges of this company to their canal and its appendages, without being subject to any additional obligation in relation to the water privileges.

In conclusion, it is proper to remark, that if the provisions of the act of 1829, above referred to, should not be carried into effect, we are of opinion it will best comport with the public interest to abandon all control over the present outlet of the lake, except so far as may be necessary to maintain its present level.

WM. C. BOUCK,
In behalf of the Canal Commissioners.

March 18th, 1830.

No. 285.

IN ASSEMBLY,

March 9, 1830.

REPORT

Of the Committee on Claims, on the petition of Peter Renway, a Canadian refugee.

Mr. P. C. Fuller, from the committee on claims, to which was referred the petition of Peter Renway, a Canadian refugee,

REPORTED :

The petitioner asks for bounty lands in consideration of his revolutionary services; and shows that he was a Canadian refugee, who enlisted and served in Hazen's regiment during the revolutionary war.

The identity of the petitioner is shewn by several depositions; and the evidence of his claim is further strengthened by the fact that he has procured from the United States a warrant, dated in December last, for one hundred acres of land under the act of Congress.

The claim of the petitioner seems to be based on facts and circumstances very similar to those in the case of Basil Nadeau, a refugee, for whose relief an act was passed on the 25th of April last, granting him 200 acres of land.

Your committee are of opinion that the petitioner exhibits evidence so strong in favor of his application, as to make it their duty to prepare a bill for the same quantity of land as was granted to the said Nadeau, which they ask leave to present to the House.

[No. 285.]

No. 286.

IN ASSEMBLY,

March 18, 1830.

COMMUNICATION

From the Regents of the University, transmitting
the report of the Trustees of Columbia College.

To the Honorable the Legislature of the State of New-York.

The Regents of the University having, since their last annual report to the Legislature, received from the trustees of Columbia College the annual report of that institution, do herewith transmit a copy thereof for the information of the Legislature.

By order of the Regents.

SIMEON DE WITT, *Chancellor.*

G. HAWLEY, *Secretary.*

Albany, March 17, 1830.

[No. 286.]

1

REPORT

Of the Trustees of Columbia College to the Regents of the University.

The Trustees of Columbia College beg leave to present to the honorable the Regents of the University of the State of New-York, the following report of the present state of this institution.

The number of students in the senior class is.....	19
do. " in the junior "	23
do. " in the sophomore "	26
do. " in the freshman "	33
Total number of students,.....	101

Since the last report from the trustees to the Regents, the college has been deprived, by death, of its late venerable president, the Rev'd. Dr. William Harris. His place has been supplied by the election of the honorable William A. Duer, L. L. D., to the presidency of the college. During the last summer, a commodious building has been erected in rear of the college, upon Murray-street, for the accommodation of the college grammar school. It forms one wing of the plan of a large edifice, which at some future day may be required.

The school is in a very flourishing condition; consisting of 116 scholars in the classical, and 50 in the English department, and affords the prospect of bringing a considerable accession to the number of students of the college. With the view of rendering the benefits of education more generally accessible to the community at large, the system of instruction in this institution has lately undergone very extensive additions and modifications. The following statute, passed by the trustees on the 16th of January last, will put the Regents in possession of what has been done in this respect.

" Sec. 1. The course of instruction now existing, the integrity of which shall in all respects be preserved, shall be denominated *the full course*. Another course of instruction shall be established, which shall be denominated the *scientific and literary course*; the whole, or any part of which, matriculated students may at their option attend.

" Sec. 2. The *scientific and literary course* shall embrace all the studies now pursued in the college, except those of the Greek and Latin languages ; and shall also include the study of the modern languages, and such other studies in literature and the sciences as may hereafter be annexed thereto. The board of the college shall form the students of the scientific and literary course into classes, which shall be attended by the professors at such times, and to such an extent, as shall not interfere with their duties to the classes pursuing the *full course of study*.

" Sec. 3. Persons not matriculated may, with the permission of the board of the college, attend the scientific and literary course, or any part thereof, paying into the treasury of the college the prescribed fees.

" Sec. 4. Matriculated students who shall pass through the scientific and literary course, or any part thereof, to the satisfaction of the board of the college, shall, on the vote of the board of trustees, receive testimonials of the same, to be announced at the public commencement.

" Sec. 5. The fees paid by each student in the scientific and literary course, shall not exceed fifteen dollars per annum, for each professor whom he may attend ; which fees shall be paid into the treasury of the college.

" Sec. 6. The professors of the languages shall form classes, consisting of the matriculated students, graduates, and others, for the purpose of enlarged instruction in Greek and Roman literature ; the fees to be the same, and to be appropriated as prescribed in the preceding section.

" Sec. 7. Those professors, a portion of whose course is conducted by lecture, may, at their lectures, unite the classes of the two courses.

" Sec. 8. Matriculated students pursuing the scientific and literary course, are not prohibited from professional studies or pursuits.

" Sec. 9. Public lectureships shall be established in the following departments—Greek literature ; Latin literature ; Oriental literature ; English literature ; French, Italian, Spanish and German literature : Chemistry and its applications ; Mechanics and Machines ; Mineralogy and Geology ; Architecture and civil Engineering ; Intel-

lectual Philosophy ; Moral Philosophy ; Elocution ; the Law of Nations and Constitutional Laws ; Political Economy ; Mathematical Science ; Experimental Philosophy ; Physical and Practical Astronomy.

“ Sec. 10. These lectures, as to the times and places of delivery, shall be under the control of the board of the college, and shall be open to all persons who may choose to attend. The professors may, at their option, be lecturers ; and the other lecturers shall be appointed by the board of trustees. The lecturers shall fix and receive the fees of admission to their respective lectures.

“ Sec. 11. The corporation of the city of New-York, the trustees of the high school of the said city, the trustees of the New-York public school society, the trustees or directors of the Clinton Hall association, of the mercantile library association, and of the mechanic and scientific institution, the general society of mechanics and tradesmen of the city of New-York, and such other societies as the trustees may from time to time designate, shall each be entitled to have always two students educated in the college, free of all charges of tuition.

“ Sec. 12. Every religious denomination in the city of New-York, by its authorised representatives, shall be entitled to have always one student, who may be designed for the ministry, educated in the college free of charges of tuition.

“ Sec. 13. Any person or persons who may found a scholarship to the amount of *one thousand dollars*, shall be entitled to have one student educated in the college free of all charges of tuition. This right may be transferred to others. The scholarship shall bear such name as the founder or founders may designate,

“ Sec. 14. Any religious denomination, or any person or persons who shall endow a professorship in the classics in political, mathematical or physical science, or in the literature of any of the ancient or modern languages, to the amount of *fifteen thousand dollars*, shall forever have the right of nominating a professor for the same, subject to the approbation of the board of trustees, who shall hold his office by the same tenure as the other professors of the college ; the nomination to be made by the authorised representatives of the religious community, or by the person or persons who shall make the endowment, or such person or persons as he or they may designate.

The proceeds of the endowment shall be appropriated to the salary of the professor.

"Sec. 15. The department of rhetoric and belles lettres, including the English language and English literature, shall be assigned to the president; who shall exercise the students frequently in English composition, elocution and forensic disputations, with a view to their acquiring just sentiments as well as correct style; he shall also, at his discretion, assign to them the subjects on which they are to write, or which they are to discuss. The president shall give instruction by lectures or otherwise, on the evidences of the Christian religion in general, but not on the nature or evidences of its doctrines as professed by any particular denomination of Christians."

Subsequent to the passing of the above statute, the following professors and lecturers have been appointed, viz:

The Rev. Samuel H. Turner, D. D. professor of the Hebrew language and literature.

Mariand Velasquez de la Cadenea, professor of the Spanish language and literature.

The Rev. Manton Earlburn, lecturer on poetry.

William H. Ellet, M. D. lecturer on elementary chemistry.

The style of the adjunct professor of languages has lately been changed, and in testimony of respect for the memory of the late Hon. John Jay, has been altered to that of the *Jay professor of the Greek and Latin languages*; and the instruction of the sophomore class in the above languages, has been added to the duties of his department.

The trustees are at present engaged in carrying into effect a plan for throwing open the college grounds between the west end of the college building and Chapel-street; and for widening and improving that street. By these arrangements, that portion of Chapel-street which has heretofore been an uncleanly and disagreeable place, will be rendered one of the most beautiful and desirable situations in the city. Some addition of revenue will also be obtained by means of these new arrangements.

The trustees have the satisfaction to state, that the discipline of the college continues to be maintained with undiminished vigour;

and that the conduct and improvement of the students in general, is such as to do honor to themselves and to reflect credit upon their instructors.

All which is respectfully submitted.

[L. S.]

C. C. MOORE, Clerk.

New-York, March 11, 1830.

A true copy,

G. HAWLEY, Secretary.

Albany, March 17, 1830.

IN ASSEMBLY,

March 17, 1830.

REPORT

Of the Commissioners for draining the Cayuga Marshes.

To the Honorable the Legislature of the State of New-York.

The Commissioners for draining the Cayuga marshes

RESPECTFULLY REPORT AS FOLLOWS :

We are aware that it might have been expected that we would make our report before the first day of this month ; but having petitioned for a committee that should be empowered forthwith to investigate our proceedings, to ascertain the amount of monies expended, and personally to view the state of the works and note the effects produced ; and further, to examine, scrutinize and report upon, as far as they should think proper, all such matters and things as should in any way respect the operations under our direction ; we thought it respectful and proper to wait for the determination of the legislature respecting our petition. But as we have not yet learned the result of our application, we now make the communication required by law.

When we made our last annual report, we expected that we should be able to finish the works in the course of the then current year; but on the sinking of the waters some bars appeared which had not previously been considered as serious obstructions, but which, according to the advice of David Thomas, Esq. our engineer, it was found necessary to remove. And it was also discovered, that some bars, which we had hoped would be swept away by the accelerated current of the river, remained unmoved, and some bars in

the bed of the river were found to be more difficult of excavation than had been expected. Thus it became evident that it would take a longer time and would require a greater expenditure than we had contemplated, to complete the works.

Since our last report we have completed the removal of the dams and other obstructions at each end of the great ditch, at Jack's reefs; cut a channel from each end of the drain into the deep waters of the river; removed a large amount of loose stones and rocks from the bed of the river, at the reefs; cut a channel in the bed of the river on the upper bar of the reefs, about seventy rods long, one hundred and forty feet wide, and two feet deep; and afterwards, in the same cut, sunk a channel still deeper by two feet, seventy rods long, and seventy feet wide. Also excavated, on the lower bar of the reefs, another channel, seventy rods long, one hundred feet wide, and two feet deep, and carried the earth and other materials, and deposited them upon the banks of the river. More than fifteen thousand six hundred cubic yards have been excavated at the bars on the reefs. After doing which, we proceeded up the river and removed a considerable bar at Ward's bridge, about six miles from the reefs, and another still further up the river, at Cooper's rapids; made a large and important cut at Musquito point; removed a bar at Howland's bridge, and two more at Campbell's island, and finished our operations for the season, by excavating an important channel at Bluff point, about seventeen miles up the river from Jack's reefs, and three miles below the village of Montezuma.

These operations have been carried on by the advice and under the direction of David Thomas, Esq., who is designated by law as the engineer of the works.

The total amount of money drawn from the treasury of the state, on account of these works, is one hundred thousand dollars. The sum not paid out, and which now remains in the hands of our treasurer, is two thousand seven hundred and seventy-one dollars.

We have not yet been able to effect a settlement with William L. Perce, a contractor, but there is now a prospect that it will soon be done.

The accounts of Elijah Somers, for the last work done on the river, remain unsettled.

Claims for damages done to land by cutting the ditch at Jack's reefs, and for timber used there, have not been liquidated.

How much would remain in the hands of our treasurer, after adjusting and paying all the lawful claims against the works, cannot be exactly stated; but we presume that the sum would be small.

The effects produced by our operations are highly gratifying. While about one half of the river passes through the ditch at Jack's reefs, the other half now glides within the new excavation, in the bed of the river, below the old channel.

The water at Cross lake, about one half of a mile above the ditch, has been sunk, by our works, five feet; at Musquito point, twelve miles above the reefs, four feet; at Bluff point, seventeen miles from the reefs, where our last operation was performed, more than three feet; at Montezuma, three miles further up the river, at the open marshes, at least two feet; and a manifest and considerable sinking of the waters of Cayuga lake has been effected.

The currents of the Seneca river and the Cayuga outlet, have been greatly accelerated, and the waters rendered more pure.

The Cayuga marsh lands, which, if no draining operations had been performed, would undoubtedly be at this time completely under water, are now more than two feet above the surface of the river; and during the last summer, they were at least three feet above the water. More than thirty acres of those lands lying near Montezuma, were finely ploughed, the latter part of the last season, with a view to cultivation next summer; and we are gratified in the belief that a much greater quantity will be ploughed and cultivated during the next season.

We think sufficient evidence has already been given, to satisfy every unprejudiced mind, that the great objects in view are clearly attainable; that is to say, that the lands can be effectually reclaimed, and the health of the country greatly improved.

We deem it our duty to state what, in our opinion, as well as in the opinion of David Thomas, Esq., is necessary hereafter to be done.

A large bar, forming a very serious obstruction in the river, lies opposite the open marshes, between Bluff point and Montezuma.

A proper channel cut through this bar, must necessarily and very considerably lower the water in the rivers along the greater extent of the marshes to Martin's rapids.

It will be necessary to excavate a channel at Martin's rapids, which will sink the waters of Seneca river, as far as to the foot of Cayuga lake.

Some excavation must also be made at the foot of the lake; and we agree in opinion with the engineer, that it will be proper and necessary to enlarge, in some degree, the channels at Jack's reefs, and at some places between the reefs and Montezuma.

During the progress of the works under our direction, we have met with great embarrassments, and have been put to much expense, by the unfortunate management of some of the contractors; and we feel ourselves constrained to say, particularly, that our operations have been much impeded, and that we have sustained serious damage and losses, from the unjust claims and wanton persecution of Royal Torrey and Patrick S. Sinnott.

Some months after William L. Perce left the works, we for the first time heard that Sinnott claimed to be a partner of Perce, in the contract under which Perce had been acting; and in a short time, we ascertained that Sinnott, under a pretence that a just debt was due to Torrey from the alleged partnership, had confessed in his own name, a judgment to Torrey, for about one thousand dollars. An execution was issued on said judgment, and delivered to the sheriff of Onondaga county, who levied on horses, various implements, and other property which had been used on the drain for prosecuting the works, and which had been pledged to us by Perce for the performance of his contract; and the same were sold on said execution, by the sheriff. The property was in our possession at the time the sheriff sold it, and was afterwards sold by us for the benefit of the works. Numerous suits have been commenced by Torrey, to recover the same; and a system of persecution has been pursued by him and Sinnott. We are well assured and entirely confident, that no partnership existed between Perce and Sinnott. We made the contract with Perce alone, and without hearing a hint or suggestion from Sinnott or any other person, that he was a partner. Sinnott acted on the job in the professed character of agent or clerk for Perce, and made no pretence of being a partner, until months after Perce left the works; and we are well assured, that at

the time Sinnott confessed said judgment in favor of Torrey, Perce was in no way indebted to Torrey, but that, on the contrary thereof, Torrey was then justly indebted to Perce to the amount of about six hundred dollars.

Aware of the misrepresentations made and propagated by these two men, and a few others instigated by them, we thought it our duty to apply for the appointment of a committee to make a full investigation of our doings, conscious that although we might have erred in judgment, the most malignant enemy could not bring anything to impeach, in the slightest degree, the moral honesty of any part of our proceedings.

We herewith present a letter, addressed to us by a respectable portion of the landholders, expressing their wish for a further appropriation of money for the prosecution and completion of the works; and we heartily concur with them in asking that the honorable Legislature will be pleased to grant the sum they name, or such other sum as shall be deemed meet and proper. We indulge the hope that the conservators of the public health will continue to encourage an undertaking so nearly completed, and which promises so much for the salubrity and prosperity of so large a tract of country.

JOHN JAKWAY

JETHRO WOOD,

Commissioners.

Dated March 10, 1830.

To JOHN JAKWAY & JETHRO Wood, Esquire,
Commissioners for draining the Cayuga Marshes.

Gentlemen—Being owners of parts of the Cayuga marshes and swamp lands in the valley of the Seneca river, and about the Cayuga lake, we feel pleasure in declaring our opinion and belief that the important works committed to your charge, have been faithfully and judiciously managed by you, and that they are in a prosperous and encouraging condition.

Considering what has already been effected, we are entirely satisfied that with the use of a proper amount of funds, the great objects in view will be attained, that is to say, that the lands will be effectually reclaimed, and the health of the country greatly improved.

We have full confidence in the judgment and skill of David Thomas, esq., the able engineer appointed by the State to examine and report upon the works, which are now under your direction. We are aware that he reported to the Legislature, that to complete the operations, would require the expenditure of one hundred and twenty-five thousand dollars; and we learn that he is still of that opinion. And we are also informed that the amount of money already appropriated by the state is one hundred thousand dollars, and that that sum has been nearly expended. We therefore, earnestly ask you to apply to the present Legislature, for a further appropriation of twenty-five thousand dollars, which sum we are satisfied, would enable you successfully to finish the works.

We tender you our best thanks for your faithful and efficient attention to the duties enjoined by your commission, and beg you to continue your efforts, until all the necessary operations shall be finished.

Very respectfully, your friends, and obedient servants.

Humphrey Howland,	Alfred Hovey,
John W. Hulbert,	Asher Tyler,
E. Burnham,	W. Mynderse,
John Wood,	W. S. De Zeng,
Loring Willard,	B. Whiting,
Geo. W. Fitch,	Thos. J. Alsop.

January 25th, 1830.

IN ASSEMBLY,

March 11, 1830.

REPORT

Of the Select Committee on the petition of the Commissioners of the Dover and Union-Vale Turnpike Road Company and others, for an alteration of their charter.

Mr. Oakley, from the select committee to which was referred the petition of the commissioners of the Dover and Union-Vale turnpike road company and others, praying for an alteration in their charter,

REPORTED—

That the petitioners state that no directors for the said company have been chosen ; that about three miles of the east part of the site of the contemplated road passes through a fertile and well settled country, where the roads are now reasonably good, and where the inhabitants are able to keep them so ; that the remaining part of the site of the said contemplated road, being about seven miles in length, passes through a sterile, rough, mountainous and thinly inhabited region, and where a turnpike road will greatly promote the public convenience. Thus great difference of opinion exists, as to where the said road shall run, after it passes over the rough region aforesaid ; that in consequence of this difference of opinion, the commissioners cannot probably get persons to subscribe for the stock of the said company ; that if the Legislature will authorise said company to omit making the said road over the three miles aforesaid, the said stock will probably be taken up ; that in this case all the essential objects contemplated by the charter will have been

accomplished ; that there is no remonstrance against the prayer, and that the legal notices have been duly given.

Your committee believing the aforesaid statements to be true, recommend that the prayer of the petitioners be granted, and ask leave to introduce a bill accordingly.

IN ASSEMBLY,

March 19, 1830.

REPORT

Of the minority of the committee on trade and manufactures, relative to the duties of the inspection of flour for the City of New-York.

Mr. Quackenboss, from the minority of the committee on trade and manufactures, to whom was referred the resolution of this House on the 20th February last, requiring them to inquire into the expediency of so dividing the duties of the inspector of flour in the city of New-York, as to make the inspection of wheat flour, and that of rye flour and meal, two distinct offices, begs leave to

REPORT:

That they have had the same under consideration, and believe it impracticable and improper to pass a law in accordance with the principles contained in said resolution. Since the above resolution came before the committee, a personal application has been made to the committee, aided by some petitioners from the city of New-York, the cities of Albany and Troy, for the passage of a law to divide the office of flour inspector for the city of New-York, so as to create one inspector of domestic flour, and another for the inspection of foreign flour.

A majority of the committee have agreed to report a bill: To this the minority dissent, for the following reasons. During the session of 1828, an attempt was made to divide the duties of flour inspector for the city of New-York. This subject was referred to a committee of the Senate, (see Journal of that year, page 216,) of which the

Hon. Mr. Enos was chairman. The report of that committee bears with such force upon this question, that the House will pardon the minority of said committee for inserting an extract therefrom. It is as follows:.

"The petitioners ask an alteration of the law in relation to the inspection of flour, in such a manner as to have three inspectors in said city; the city to be divided into three inspection districts; the inspectors to serve alternately in each; the fees to be equally divided; and said three inspectors to form a board of appeal, to whom the manufacturers and venders of flour may appeal from the decision of either of the inspectors in deciding the quality of their flour. The principal alteration sought, is a board, to whom the manufacturers or venders of flour, conceiving themselves aggrieved by a decision of the quality of their flour, may appeal. It will readily be perceived, that if such a provision had any effect, it would be to injure the reputation of the great staple of this State; for appeals are asked on one side only of the question, viz. to raise it. And the committee are of the opinion that such an effect would be the more certain after the first day of May next, when the seventeenth chapter of the first part of the Revised Statutes becomes a law; which directs a certain quality of flour to be branded extra superfine. For the agents of the petitioners admitted that the western flour is from ten to fifteen per cent better in quality than the flour manufactured in the southern part of the State: consequently the New-York manufactures would have an additional inducement to appeal. The committee are of opinion, that if there should be three inspectors, each having control of a certain district, there would be a great probability that the flour branded a certain quality, would be found variant, than if the whole was under the control of one person."

The same objections (contained in this extract) to the plan then proposed, apply with equal force to the provisions contained in the bill now presented.

The provisions of the Revised Statutes, which tend to consolidate the duties required of inspectors of the products of our common country, without reference to locality of manufacturing, induce the minority of your committee to believe that it was intended to create a head of each department, where responsibility would be placed and felt, without the inconvenience resulting from collision in opinion of men holding similar offices. The quality of the article would be as variant as the individual opinions of the inspectors.

The minority of your committee conceive the creating a distinction between domestic manufactures and those manufactures out of the State, would create invidious distinctions between our own State and our sister States, which all good men would deplore. How are the inspectors to distinguish between the quality of flour brought from Ohio, Michigan, &c. through the canals to the New-York market, from that of our western flour coming through the same channel? Both will be manufactured from the same quality of wheat. What character is the flour manufactured within this State from southern wheat, to assume?

To illustrate the impracticability of the plan proposed, we will suppose the distinction of foreign and domestic flour here proposed, should extend to ashes, provisions, fish, leather, and distilled spirits. How often would inspectors be brought in collision; and what possible benefits could result to the buyer and seller of those products? Would not incalculable mischiefs ensue?

Having viewed this subject in every possible light, we have come to the conclusion that no possible good would result from the passage of such a law, but that it would create a positive evil.

All which is respectfully submitted.

No. 290.

IN ASSEMBLY,

March 8, 1830.

REPORT

Of the Select Committee to whom was referred the petition of several of the inhabitants of the village in the town of Lima, for the incorporation of a fire company.

Mr. J. Dickson, from the select committee to whom was referred the petition of several of the inhabitants of the village in the town of Lima in the county of Livingston, praying that they might be incorporated by the name of the Lima repulse fire engine company,

REPORTED :

That the petitioners have associated together and purchased a fire engine to aid them in preventing the destruction of property in said village, by fire ; that the village consists of about forty dwelling houses and stores, besides mechanics' shops and out-houses ; and that before the purchase of said engine, no efficient measures were provided to extinguish and prevent the spread of fires.

Your committee are of opinion that the prayer of the petitioners is reasonable and ought to be granted, and they have prepared a bill accordingly, and ask leave to introduce the same.

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